
BUENOS AIRES – GAC Afternoon Sessions
Tuesday, June 23, 2015 – 14:00 to 18:00
ICANN – Buenos Aires, Argentina

CHAIR SCHNEIDER:

Welcome back. To inform you, we have received request from some GAC members that we should start working on our answer to the CWG as this is the most, let's say, timeline sensitive item of our work, which I would tend to agree. So the proposal is are you fine that we start with, actually, trying to agree on the text that we will send out to the CWG by tomorrow?

We've had a very good, constructive, informal ad hoc meeting that was drafting a text, actually under the leadership of Elise and Wanawit.

I wonder, is Elise here already? Because I would suggest that she would then lead -- continue to lead, because -- this work. So I'm just -- Please have all -- Those who haven't had a chance, take a look at the text that has been sent around on the GAC list. It is also here on the screen. And then I will try to find Elise and see if she can come. Otherwise -- So what you have on the screen, it was what Tom had circulated yesterday. Have a look and make up your minds whether you might be, hopefully, able to agree on that text without too many amendments. That would be great. Just looking for Elise.

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We are trying to get Elise to help us go for this text. In the meantime, apparently not everybody has -- or there are some questions regarding the working groups whose sessions we have now canceled.

Elise, you want to come in quickly?

Oh. (Laughing)

ALICE MUNYUA:

Thank you, Chair. I have one question. Since we canceled the sessions that were meant to focus on the various new created working groups, I'm wondering whether -- because one of the objectives of having the sessions was to endorse the proposed activities and the terms of reference so the working groups can continue working. So I'm wondering whether we can do that now or perhaps online before we leave the meeting so we can start getting work done.

Thank you.

CHAIR SCHNEIDER:

Thank you. This is a valid point.

I think if it's possible, it would be good to agree on the terms of reference electronically. But from what I understand, the whole GAC needs to agree on the terms of reference, not just the working group.

So if you haven't already done, all those who are leading these, the three working groups, send your draft terms of references to the whole GAC with a deadline for adoption, for electronic adoption. What

deadline should we give? Mid-July? End of July? What would you suggest?

Yes, Alice.

ALICE MUNYUA:

We've already shared various versions of, for example, the public safety working group and the underserved working group, the NomCom, all of them. And we'd had no -- We discuss it had with the working group yesterday and no changes were made, so it's the same version that we've had for the last month. So we were hoping that we can adopt those, because we haven't had any new comments, especially -- yeah. Thank you.

UNKNOWN SPEAKER:

Thank you, Chair. I support Alice's comments as far as for the NomCom Working Group. We also have exchange with the working group with the terms of reference. We did changes, and so it's a stable version. So I would be of the idea of approving them now or getting the main concerns from the floor and see if we can move forward. And if we have a due date for comments, should be short so we can move forward with the working groups.

CHAIR SCHNEIDER:

Okay. So in the end, I think we can leave it up to the individual working group to set a deadline for comments. And if there are no further comments coming from the whole GAC until the deadline, that

you set them, then they are agreed. Is that something that is useful?
So go you think the end of June or ten days or whatever is enough....

Yes, Alice?

ALICE MUNYUA:

I'm sorry to keep taking the microphone. It's because the Public Safety Working Group has already had quite a number of activities already ongoing here in Buenos Aires. And so we really would like -- The terms of reference have been shared for the last three or four months.

So maybe I can share them again now, and perhaps by the end of this meeting, to have endorsed them, if possible.

Thank you.

CHAIR SCHNEIDER:

Yeah, that's fine. We can do that.

So just send it out again with a reminder and say by Thursday lunch, if there are no -- no further comments coming in by Thursday lunch, you would consider that -- from the whole GAC, you would consider adopted. Is that something that sounds reasonable? Spain.

SPAIN:

I absolutely -- Just a reminder the terms of reference of working groups have to be approved by the whole GAC. So we would need to seize the opportunity this meeting to get them approved.

CHAIR SCHNEIDER: Yes, that's the understanding. So you send it to the whole GAC and make it clear that unless there is any comment, any objection from anywhere in the GAC, then that means that the whole GAC would have adopted these terms of reference.

Okay. So we -- Just everybody who may not have been here in the morning, we decided to not have the three sessions that were supposed to exactly do what we're discussing now: Have an update on the work of the working groups, and try, in some cases, to adopt the terms of reference. We will not have these sessions. We will use them to work on the CWG and the CCWG work.

We may have some text in the communique about meetings that have been held, and if the -- so the information items, despite the fact that we didn't have a session in the GAC now, we may collect information about meetings and things that have been going on and about what is supposed to follow, like the terms of references will be adopted then or next steps will be X, Y.

So maybe we -- Let me invite the chairs and co-chairs of the working groups to formulate some information items on where we are with the working group. That will be integrated into the communique, in the information part of the communique so that everybody knows where these working groups stand, if that's okay.

All right. Let's go, then -- as I said, there have been some requests to actually start dealing with the CWG and see if we can hopefully rather

quickly finalize our message to the co-chairs. This is why we have the draft text as it stands so far on the screen.

And, Elise, if this is okay for you, since you did a great job yesterday together with Wanawit -- ah, she is already sitting here. Communication works.

So I would actually like to hand over to you two and let you quickly present what happened yesterday in this informal meeting to the whole of the GAC, and then go through the text in the hope that we can actually finalize this rather quickly.

Thank you.

ELISE LINDEBERG:

Thank you, Thomas. Just a brief comment on the draft session we had yesterday. I think it was a good session. I think everyone had valid points that were brought into the text. I think what we -- what we realized was that it is difficult for the GAC, the whole of the GAC, to accept the whole of the content of the CWG as it stands now, also because of the dependencies we have between the CCWG, the need for the GAC and the need for each and every government to go home and bring a whole package and see the whole picture before we give any final advice.

So what we decided as an approach, taking into account also a lot of comments on the first day we discussed it, that most of us wants this to go further. We don't want it to stop in the GAC now. We want it to go further into the ICG. But we will like to, without prejudice, as I said,

to comment made by public, by individual governments and delegations, we don't want to preclude anything for the whole package.

So we drafted a text, we discussed, we redrafted a bit and I think we now have a text that is neutral to the content but, at the same time, gives support for its submission to the ICG.

You can read the text. You want me to read it, actually? Yeah.

So the draft text is: The GAC takes note of the CWG Stewardship final protocol parameter propose and states support for its submission to the ICG without prejudice to comments made publicly by individual delegations.

This is the overall message.

Any comments to that or do you want me to read the whole? I read the whole.

The GAC further notes and recognize that the CWG Stewardship proposal is significantly dependent and expressly conditioned on the implementation of ICANN-level accountability mechanisms by the Cross-Community Working Group on enhanced ICANN accountability, the CCWG Accountability. If any elements of these ICANN-level accountability mechanisms is not implemented as contemplated by the CWG Stewardship proposal, this CWG Stewardship proposal will require revision.

I want to say that this is a -- is text taken out of the CWG proposal itself. This is nothing that we have created. This is text just as it is in the CWG proposal.

So this is, I think, something that we can clearly state without discussing if this is actually what's happening between the CWG and the CCWG, because the CWG has said this itself.

Then we said: The final CWG proposal will be assessed on its own merits by the GAC and considered by GAC as a chartering organization.

And that way we underline that we still have a job to do in the CCWG, and this is independent of the CWG in that way that we will still have to agree on the CCWG.

And then it is in the end just "The GAC wishes to express its sincere appreciation of the diligent and productive work performed by the CWG Stewardship, its co-chairs, its members, and all its contributors," which is to be nice, basically.

Okay. Thank you.

CHAIR SCHNEIDER:

Thank you. Before giving the floor to everybody, just wanted to inform those who have not been at this informal drafting meeting that we were actually, in my view, quite successful in getting a very careful, balanced reflecting of the different angles and views that were put forward. So I would urge you to not try and formulate the same thing in different words. Of course it's your freedom, you can amend this in

whatever way you want. This is your right. I'm just urging you to look at this carefully and try and see the balance and the agreement among those that were there that this is something that everybody could live with and only propose amendments where you think it's absolutely necessary or it's really creating value added.

So the floor is yours. Thank you.

It's actually okay if you lead the discussion for me, so you can....

ELISE LINDEBERG: Thank you. Then I see Iran.

IRAN: I suggest that we take it paragraph by paragraph, the text. It would be easier.

And I think the main message in the first paragraph, which I think there is broad support and agreement for that.

The two other is more or less explanatory, but let's take it paragraph by paragraph.

ELISE LINDEBERG: Thank you.

The GAC takes note of the CWG Stewardship final proposal and states support for its submission to the ICG, without prejudice to comments made publicly by individual delegations.

Any comment?

Okay. I go further.

The GAC further notes and recognize that the CWG Stewardship proposal is significantly dependent and expressly conditioned by the implementation of ICANN-level accountability mechanisms by the Cross-Community Working Group on enhanced ICANN accountability, the CCWG Accountability.

Any comments for that?

Iran.

IRAN:

Very small comment. I am a little bit worried about "the implementation" because you are not dealing with implementation. I suggest that we slightly reword that, "accountability committed to be implemented," because implementation is outside these activities for the time being. So if these conditions are not met, I suggest that then we talk about accountability because this says dependent on accountability mechanism committed to be implemented. Thank you. I said that message yesterday in an email to Tom.

Thank you.

ELISE LINDEBERG: Okay. My comment is, then, that we now go out of the text that we have just taken out of the CWG proposal and we then start to redraft this.

Yeah. So just to know what we're doing. But okay. Can you say it again so he can get it into the....

IRAN: If you read the second paragraph, "The GAC further notes that go to that level of accountability," I don't know whether we say accountability mechanism or accountability itself without mechanism, "committed to be implemented."

So take out the word "implementation" from the third line. "Condition on the level of accountability," not ICANN. We don't need to refer to the ICANN, "level of accountability mechanism committed to be implemented." That is the only simplest. And I have discussed that with some other people in the CWG, and they say that that is a proper amendment.

Thank you.

ELISE LINDEBERG: Okay. Any comment on this comment from Iran? Otherwise, I just read the next paragraph.

U.K.

UNITED KINGDOM: Thanks. It's just a point about English, because the working group is not implementing these mechanisms. The working group is proposing mechanisms to be implemented. So I think the English needs to be -- I mean, somebody could read this -- fresh to this could read this to say the working group is going to implement mechanisms it's the working group is proposing mechanisms to be implemented.

You see what I mean?

To be implemented by the Cross-Community Working Group.

Mechanisms -- umm, for implementation proposed by the Cross-Community Working Group.

I'm just finessing it, really.

Thank you.

ELISE LINDEBERG: Iran, would you like to comment on the -- what you --

IRAN: Yes, Chairman. I don't think we have difficulty with that proposed by, but the problem was that I discussed with some other people, we should not talk about implementation. We should talk about the workability of the mechanisms.

So if we say "proposed to be implemented," I have no problem. But I don't want to refer to implementation. "Proposed to be implemented."

ELISE LINDEBERG: Spain, did you want to say anything?

SPAIN: Mark has already said what I was going to say.

ELISE LINDEBERG: I start reading the next. No. Sorry. Manal. Egypt.

EGYPT: Yeah, I also have the same comment, but also I'm wondering, Elise, you mentioned that this is a copy-and-paste from the CWG proposal, so bearing this in mind, can I ask the merits behind we're changing this?

I mean, if it's a copy-and-paste from the proposal itself.

Thank you.

ELISE LINDEBERG: I comment on that. I said this is the exercise, we're starting there, but Iran wanted to have a change. So please comment, Iran.

IRAN: Please show me the text in the CWG that have copied and paste, where you have copied and paste. If it is exactly verbatim of that, no problem. I hope it is verbatim. Can you show me that?

ELISE LINDEBERG: Two seconds, we'll find it.

I think it is on page -- page 20 in the CWG proposal.

Page 20.

IRAN: There are many paragraphs. Which paragraph?

ELISE LINDEBERG: Two.

IRAN: Paragraph 106? And which? Which paragraph?

ELISE LINDEBERG: I'm sorry. It's page 20, and it's now on the screen. It's 106.

Yes, Iran.

IRAN: I propose a more simple suggestion. GAC confirms or agrees with the content of paragraph 106 of the CWG. We don't put anything before anything there. We just agree with what they have said, without paraphrasing, without adding anything. Because you have added on that the text is different. The CWG stewardship proposal is significantly dependent and express condition on the implementation

of ICANN level accountability mechanism by ICANN Cross-Community Working Group and so on as described below. So you have below. So we just confer what we have in paragraph. We agree with the paragraph 106 of the CWG.

ELISE LINDEBERG: Can I add a comment then? I think that is weaker from the GAC's side. It looks different to just quote or to just enhance something in the CWG report rather than saying it ourself. I think that even if it is from the CWG report, it states what we mean and that we underline the importance of it. So I think, as a message sent out from the GAC, I think it gives body and it gives more -- it's heavier if we say it ourself than if we just -- yeah, that's my opinion. And then -- yeah. Any other comments? Egypt.

EGYPT: Yes. Thank you, Elise. I think it's also easier for whoever is going to read to get the message directly. We spend, like, five, minutes digging this paragraph. So we don't want to make it even harder for others who are going to read this. Thank you.

ELISE LINDEBERG: Netherlands.

NETHERLANDS: Yes, thank you, Elise. I think, from our point of view, we need this first sentence because it's also the leadup to the second part of this

paragraph, which is very essential for many members, which was expressed also earlier. It's the fact that the conditionality has been expressed by many members, one thing which is important. Of course, it's implicitly there. But I think many members would -- at least the Netherlands would like to have this explicitly mentioned. Thank you.

ELISE LINDEBERG: Any more comments? I can't see who it is. Please, go ahead.

AFRICAN TELECOMMUNICATIONS UNION: African Telecommunications Union.

There might be some merit in identifying paragraph 106 of the CWG final proposal because it helps people see where it came from. And maybe it could say the GAC notes paragraph 106 of the CWG final proposal, which states. And then you put in quotation marks the text that was copy and pasted.

Thanks.

ELISE LINDEBERG: More comments? Iran.

IRAN: That's exactly what I wanted to have. Introductory paragraph and quote what they said, unquote. Thank you.

ELISE LINDEBERG: Singapore.

SINGAPORE: Thank you, Chair. I think we do agree that we can quote that paragraph. But I agree with you that we must explicitly express what's in the communique. I think that will strengthen your position, as you said. Thank you.

ELISE LINDEBERG: Spain.

SPAIN: Thank you. I suggest putting a full stop after the CWG stewardship proposal would require revision. Because what comes after is not in paragraph 106. It's an assessment by the GAC. And it expresses the conditionality of our endorsement of the proposal. You understand what I mean? Okay. Thank you.

ELISE LINDEBERG: So I'm asked to read out 106 that we're going to put into the text now, which will then be the CWG stewardship proposal is significantly independent and expressly conditioned on the implementation of ICANN-level accountability mechanisms by the Cross-Community Working Group on enhanced ICANN accountability, CWG accountability as -- and full stop then.

And then we actually have to jump a bit --

UNKNOWN SPEAKER: Could you actually read it out again. Sorry.

ELISE LINDEBERG: And then the last sentence which is then, I think, very important -- that's another quote then. I know. Iran, is that your comment that we need to move it?

IRAN: Yes. I think the next paragraph would be a separate paragraph. And that would be a new paragraph starting with "should" instead of "if." Should any of that, I have no problem. And I have also support of proposal of Spain to delete the last paragraph that you are making. So that will be a new paragraph. Should any -- thank you.

ELISE LINDEBERG: Okay. Not should. If is the right. But if we say "should," it's not the paragraph, right?

IRAN: Should, should, should.

ELISE LINDEBERG: But, if we say should, it's not the quote, right?

IRAN: This is the old paragraph.

ELISE LINDEBERG: No, this is a quote from paragraph 106.

IRAN: Okay.

ELISE LINDEBERG: If any element of this ICANN level accountability mechanism is not -- is -- don't -- is not implemented as contemplated by the CWG stewardship proposal, this CWG proposal will require revision. That is a direct quote from the report. Netherlands.

NETHERLANDS: Yes, thank you, Elise. One comment is now that we don't recognize in content that the proposal is dependency, we now recognize the paragraph. I'm not a native English speaker, but it's strange to recognize a paragraph.

I would like -- if there's some alternative, for example, supports or endorses paragraph.

ELISE LINDEBERG: Switzerland.

SWITZERLAND: Thank you. Just to try to help you on the language, maybe we should say the GAC notes paragraph 106 of the final proposal and recognizes that -- and just -- then -- because the problem is you don't want to recognize paragraph 106. But you note it, and then you recognize that.

Maybe that helps the language.

ELISE LINDEBERG: Sorry. Speak out. Jamaica.

JAMAICA: Might I suggest that we just retreat with the issue of recognizing a paragraph, that we say, "The GAC notes and recognizes the provisions of paragraph 106 which states."

And it will go on to say which states that.

ELISE LINDEBERG: Iran.

IRAN: Yes, it is correct. Because provision is more or less the content of the paragraph. So it is correct. Thank you.

ELISE LINDEBERG: Okay. Any more comments now on how it looks? Iran, no?

IRAN: And the following paragraph you have. Final CWG.

ELISE LINDEBERG: Should we move to the final one? Okay. We move to the final one.

Can you scroll? Is this agreed then, the chair asks? The second. Okay. We move.

The final CCWG proposal will be assessed on its own merits by the GAC and considered by the GAC as a charter organization. Iran.

IRAN: It is a fact that we don't need to send it to CWG. This is our own. I suggest this be deleted. We don't need it. It has nothing to do with the request of CWG. CWG whether we agree with the proposal and we agree with that. So, whether we review the CCWG, that is another issue. Has nothing to do with the questions of CWG. So I suggest that not taking, carrying forward this paragraph. The final CCWG proposal will be assessed. So we don't need to put that one. Thank you.

ELISE LINDEBERG: Netherlands.

NETHERLANDS: Yes. Thank you, Elise. And thank you, Kavouss, for your remark. I was one of the instigators for this remark. The reason why was that we had some -- at least we had some problems with only stating which is in the CWG paragraph. Because it could implicitly mean -- at least my

perception is that it could implicitly mean that we agree and we find the accountability mechanisms sufficient, which I think they are not. And they're still open for debate.

So, if you only state as GAC that we agree for further transmission of proposal, on the conditions that the -- these mechanisms are implemented, I think that's not enough. Because the mechanisms might not be enough. Thank you.

ELISE LINDEBERG:

Thank you for that comment, Thomas. I now remember why you brought it in. Okay. Iran, do you want to comment on that?

IRAN:

We don't need that paragraph. I think -- the question of CWG to us is do you agree with this proposal. And we say we agree with the condition that we have mentioned. Whether or not we review CCWG, that is another issue. It may be in the report of GAC, but has nothing to do with the request of CWG in relation. They requested our views with their proposals. They did not request our views with respect to the CCWG. But that is a good point. It all works. So we don't need that paragraph.

ELISE LINDEBERG:

Any comments? Now I would like to comment. I think we have seen also other chartering organizations like the GNSO making a link and a

clear linkage to the CCWG process. We have quoted the dependencies between the two, the CWG and the CCWG process.

This sentence might not be strictly necessary, but it underlines that we will take our own -- we will do our own work on the CWG -- CCWG. And we're still not having -- as I said, we haven't seen the whole picture. If CWG dependencies are enough or if things change. So we don't know yet. So that is why we have this.

So Iran, if you don't -- if you don't mind, could we keep it even if it's not strictly necessary? Thank you. Any more comments?

OLOF NORDLING:

Thank you very much. On the detailed level, we happen to be a chartering organization, not a charter organization, even if we organize travels every now and again.

ELISE LINDEBERG:

But it is you who drafted it. Can we agree on letting this stand in our answer? This sentence? And go to the last one? Any comments more? No? I read the last one then?

The GAC wishes to express its sincere appreciation of the diligent and productive work performed by the CWG stewardship, its co-chair, its members, and all its contributors.

Comments?

CHAIR SCHNEIDER: So it seems that we have an agreement on this text. Thanks, everybody. Just for the sake of giving everybody a chance to have a look at it as a whole, I think we take this as agreed. But we will maybe ask the secretariat to print a few copies. A "few" meaning, like -- I don't know -- 70, 80 copies of this text for until the coffee break so that everybody can see in black and white as a whole again. But, basically, take -- I will take this as agreed as it stands.

Thank you. Yes, Iran.

IRAN: Chairman, I suggest that in a minute just now, Tom, take this paragraph agreed with all the changes, put it for -- don't need to have 70, 80 copies, paperless and do it now, immediately. Thank you.

Perfectly rational. Maintaining an old version, clean version, and putting it on the board. Thank you.

CHAIR SCHNEIDER: Okay. Tom will send it out to the GAC list so that everybody has it on the list.

Then I think that's it.

So thank you very much. Thank you, Elise, also for guiding us through this. And thanks to everybody. I think that means that we've achieved one of the key elements of this meeting in terms of our role as a chartering -- thanks, Olof -- organization to the CWG.

Looking at the clock, it actually shows that it was perfect timing. We have a six minutes' break. And then we'll start with the -- sorry -- with the item on community applications.

Thank you very much.

It may actually be that we would be the first chartering organization to state its support. The question is we're not going to make this public, but that's a detail.

[Coffee break]

CHAIR SCHNEIDER:

So let's go back to our agenda on which we have -- please take your seats. We have the item agenda number 20 which is about community applications issues. This is the item before the coffee break, before the coffee break. Before the coffee break. And so I would like to give the floor to Mark, who is already here, from the U.K. Thank you.

Mark, the floor is yours.

Thank you.

MARK CARVELL:

Yes, thank you, Chair. This is the item on community gTLD applications.

There is a -- what we're describing as a working group on this. That reflects previous participation by a number of GAC members on the topic of securing a proper and effective prioritization of community-based applications. So there's a long history of this that goes back to the GAC's active engagement at the time of the writing of the Applicant Guidebook and subsequently when such applications on behalf of communities were submitted in the application round for new gTLDs. And we started to hear there were certain problems. And there's a paper where I've aimed to capture the range of issues that have been associated with community-based applications in the experience of this round. And I guess they fall into two -- two categories.

There have been problems quite widely recognized that the community priority -- priority evaluation process, CPE, has not been -- has not been used in a consistent and effective way that has served the best interests of such applicants. And some have been rejected where there has been widespread support for them across their communities where they have shown demonstrable community support, and that's a term that we've used in one of our expressions of advice to the Board.

So some have failed and some have got through.

There have been fundamental questions about the consistency of the CPE process and how -- how it's impacted on a number of community-based applications.

So that's one area of problem. A second area is that we've also been informed, many of us in the GAC, that successful applicants under the CPE have subsequently experienced a wide variety of obstacles put in their way to prevent them proceed to go delegation and rollout of the registries and their activities launching according to their business plans, and so on.

They've -- they have said that they've been frustrated by competing applicants for the same string, which have not been community based, resorting to a number of ICANN processes to impair their ability, to freeze or lock their ability to actually proceed to delegation.

So a number of problems, and I've summarized them in the paper. I hope you've had a chance to look at it. And I've given examples where a CPE applicant going to Community Priority Evaluation has been surprised by being rejected under the scoring system that exists under the evaluation process, and the one I cite there is one of the two community applicants for .MUSIC, the one by dotMusic LLC and Far Further. And then, secondly, I give as an example of a successful CPE applicant the one by the International Rugby Board for .RUGBY where they have not been able to proceed to delegation for reasons which are described in the paper.

So this is very unsatisfactory.

I also recount in the paper the advice that the GAC has provided consistently since the Beijing meeting in support of community applications which have demonstrable applicant support, and one might argue that that advice has not been fully taken regard of, and

we find that a number of persistent problems still exist. And the figures show that the number of successful community-based applications proceeding to delegation is very low as a result.

So I recounted the successive provision of advice to the Board and -- all the way through to the Los Angeles meeting where we also raised the issue of lack of appeal mechanism for applicants who have had their -- have been rejected under evaluation. And I don't think we've had a real response to that particular question that we raised in Los Angeles last year.

In parallel, many of these frustrations and concerns about the integrity of the process have been raised or brought to the attention of the ICANN ombudsman, the independent ombudsman, and the ombudsman has issued a first interim report recounting issues that have been brought to his attention by a number of applicants. That issued very recently on the 10th of June, the interim report by the ICANN ombudsman. And the ombudsman states that he will undertake further consultations with the aim of issuing a preliminary report at a juncture sometime not too distant from this Buenos Aires meeting.

So there's that process which I am proposing that we connect with. And if you look at the paper, the proposals for our consideration here in Buenos Aires, I first of all state that we should, as a committee, review the range of problems in anticipation of another round, first of all, so that we contribute to defining the problems that have been experienced and lessons learned and how to improve the process for

the benefit of future community-based applications and with the expectation that the CPE process, the Community Priority Evaluation process will be significantly improved. More predictable, more transparent, with appropriate appeal mechanisms, and so on, and more consistency in its application. So that's the first proposal I make.

And, secondly, there is a community TLD applicant group, CTAG, C-TAG I think we usually refer to it as, and this group has been formulating its own views, taking into account experiences encountered by members of that group. And I'm pleased to say we have Avri Doria here to say a few words about that shortly after I've concluded my opening presentation.

So Avri will give a short account of the group's work and its expectations for the current around and also for the future, I think, as well.

And thirdly, I, in my set of proposals, I go on to suggest what we might say about this issue and state of affairs in the GAC communique; that we reiterate previously expressed concern that the CPE process has not met the expectations of applicants, and that the GAC expects the current specific problems faced by individual applicants should be resolved without any unjustifiable delay. And thirdly that, in view of our longstanding concerns, state that we, as a committee, look forward to receiving the report of the ICANN ombudsman.

And I also suggest that -- propose that this paper, which I prepared, be submitted by the GAC chair to the ombudsman for his information so

that he's aware of what the GAC has been considering, recounting the advice that we've provided to the Board, and our ongoing concerns.

So that's my introduction of this paper. And before we go into discussion, I'd like to invite Avri Doria to say a few words about CTAG, the community TLD applicant group. I don't know if there's a space for the mic at the top. Thanks a lot.

So with many thanks to Avri finding time to join us today. We're all -- I know Avri has been very busy in many fora and activities at this ICANN meeting, so I really appreciate your being able to join us at this session.

So, Avri, I'd like to hand over to you at this point.

Thank you.

AVRI DORIA:

Thank you very much, Mark. And, yes, very much appreciate the chance to come in and come in with the hat that I'm wearing here as someone who has been a champion for communities and has consulted with dotGAY and others in terms of how to apply as a community applicant. So I'm very encouraged that the GAC is actually taking up the issue of communities, and we appreciate the time you're giving it.

I want to start by talking about a fundamental problem that we've had with communities. The original intent of community priority based upon the bottom-up community consensus was that we wanted to

encourage community applications. We wanted to support community applications, because we felt that they served a community, that they served a public interest by having TLDs that worked for communities throughout the world.

And instead what's happened is they've been viewed from a very narrow economic lens that sort of said these people are trying to get an advantage. These people are trying to game the system.

So in a sense, all of the community applicants were almost charged as guilty before they even started. The fact that someone applied for a community TLD was seen as a reason for suspicion as opposed to a reason for support. And the processes that were put together in the CPE are very stringent, are very much like passing through a gauntlet where you're constantly being investigated, you're constantly being challenged.

So that has been a very big problem for us.

The problem that communities have experienced are really many, and, in fact, they're outlined in the complaint that we sent to the ombudsman, and that was forwarded by the GAC. And I'm not going to go into all the details because I would go far beyond my time on this, so we're hoping that we'll -- Some of the problems that were being faced are similar to the problems that have been experienced by others. For example, geographical. So some of the problems look very similar to the problems that have been experienced by geographical applications, but some of the issues were very specific to the current.

Over the years, the GAC communiques have actually given the CTAG members a lot of hope. Whenever we would read one of these, it would be an encouragement. And there has been a constant support, but as Mark said, that hasn't seen or made much difference in the work of the process. It's largely none ignored. Instead, community applicants have experienced this ongoing obstruction by competitors. It's caused expensive delays and forced private auctions and settlements, things that the communities being small, not, you know, capital intensive applications have really had a lot of problems with.

And community applicants have also been forced to endure spurious activity regardless of whether they've prevailed in the CPE or whether they had it pending. Lies are sent in. Letters with various accusations that are very hard to defend against because they're not true. They're spurious, and there is no appeal mechanism.

The community applicants are still wait to go see an effect from GAC advice.

The program that you're putting together for the future offers a lot of hope. The problem is we need your help now.

We are still in application. There's still many community applications that are sort of languishing in this -- in this, you know, CPE of suspicion. And so we need more than just a hope for the future.

Excuse me.

So we need more than that. We need for you to take as strong a position as you've taken on the matter of global public interest in

other areas. The basic human rights of community members, such as expression and association, as well as their economic, social, and cultural well-being is tied up in this. It hangs in the balance for all these communities.

So in this period when ICANN accountability is so critical and so visible, we ask your assistance in holding ICANN accountable for the community evaluations and processes.

The serious circumstances for communities are critical for the current applicants. As the plans for future gTLD rounds begin to take shape, they will continue to be critical for future applications.

There needs to be greater attention to fair treatment of community applicants from all of the world's regions, and especially from developing regions, something that was a failure in the current round.

We need to return to the idea of support for communities.

Where the oppositional manner in which the current communities are being treated today is unbearably hard to endure for the current, it would be impossible to consider a developing economy's community actually having any chance of applying in this. So as we move forward and if we don't correct these things now, the idea of going through developing economy communities becomes even harder to conceive of.

So we really ask, so this lack of checks and balances, this lack of community support is something we really do ask your help with, and we're hoping that you'll be able to do something to sort of convince

the ICANN Board, convince the ICANN machinery that something can be fixed.

So thank you again for giving me a chance to speak to this.

MARK CARVELL:

Many thanks, Avri. That last point I want to underline as well. The potential deterrents for applications from communities -- could be farming communities, small business communities in developing countries and small island developing states -- in a future round is something that we would all share as something that we would not wish to tolerate and ensuring that ICANN through the domain name system is providing economic and social opportunity for communities worldwide, especially in developing country communities.

So that point is very well-taken and has great resonance for many of us here today.

We've got very short time. We've got 10 minutes left.

Thomas, shall I hand back to you to sort of chair a discussion on at this time? Is that how we should proceed with a view to finalizing, perhaps, the proposals for the text that I sent out in the paper? Maybe -- over to you.

CHAIR SCHNEIDER:

Thank you. I'm happy to do that. I think first, as I say, we should give the floor to comments from the GAC. Yes, I see Argentina and Iran and Spain.

ARGENTINA: Thank you, Chair. Thank you very much, Mark, for the document. I think it's extremely useful. And thank you, Avri, for your comments.

In the light of the GAC giving specific advice in several times in different communiques to this community application and the situation that we're facing right now, what would be your suggestion? You said we should help you and we should support. What would be that we should do considering that the advises seem to not be having the impact that they should? Thank you.

AVRI DORIA: As a quick question, it's hard for me to know. But I have seen times when GAC advice was given quite strongly. And the emphasis on the importance of advice being listened to was emphasized. And that's why, for example, I compare it to some of the advice that's been given on geographical and such where it was advice, but it was almost advice plus. It was very, very strong advice.

And that's what we're looking for. Not only a repetition of it, but somehow also an additional emphasis, if such is possible.

CHAIR SCHNEIDER: Thank you, Avri.

Iran.

IRAN:

Thank you, Mark. And thank you, Avri, for the presentation. I understand in the document you proposed something. You proposed a copy of this letter or this document be given the ombudsman. You propose something to be in the communique, if I understood correctly, of Buenos Aires. Any other area that you think that we need to raise the point either specifically or globally for these terms? Anything else that we will consider when we have a meeting with the Board to take that?

And, if that is the case, do you intend to formulate the specific questions or the specific comment to the Board to discuss first in the GAC to come up with that?

So this is a -- we have to see what are the bottlenecks and where we can do that. And you cannot continue, as you mentioned, for years to have this problem, I know. (indiscernible) Hotel. This community of booking communities for a long time and on the table with this similarity and languages and so on and so forth. English and Portuguese. So what are the concrete proposals apart from the two you proposed? Thank you.

MARK CARVELL:

Well, thank you, Iran. That is something we ought to consider, I think, raising this with the Board. It's high time. And I'm very much taking into account Avri's point that we express our frustration, really, at the inadequate response to the previous advice. So escalating it to the face-to-face meeting with the Board seems highly appropriate, if colleagues agree that we should add that to the list of issues to raise.

I was also thinking that perhaps -- this is maybe unprecedented for the GAC -- that we form a more sort of direct linkage with the ombudsman. Perhaps we express an invitation at this time for the ombudsman to appear before the committee at the next meeting. Because his preliminary -- what he describes as a preliminary report will have been released at that time. Maybe that's an additional point we flag now that we want to engage directly with the ombudsman. But I don't know if there's an established protocol that we have to take regard of here in that respect. I don't recall us ever having done that in the past. Thanks.

CHAIR SCHNEIDER:

Thank you. I have Spain, the EBU, and the European Commission. Spain, please.

SPAIN:

Yes, thank you.

All my sympathies to the cause of community applicants. And, as you know, we have expressed concerns about community application priority. Create priority evaluation process in several of our communiques. But we have received a distinct and straightforward reply by the Board on the last communique in which we raised the issue. It was the Los Angeles communique. And we received the letter dated 28th of April, which addresses this particular advice regarding the appeals mechanism. And the Board has not accepted our advice. Of course, we need to raise the issue again in the session with the

Board, insist on the public policy importance of our advice, maybe take it to the next phase, which could be the conciliation process or (indiscernible) contention procedure along with liaison with the ombudsman. But I just wanted to let you know that we -- in this case we received a clear answer by the board. So we need to resort to the procedures foreseen in the bylaws to try to find common understanding with the work on this point as well as on the others. They are part of GAC advice on new TLDs. Thank you.

CHAIR SCHNEIDER:

Thank you, Spain, for actually highlighting the response of the Board for us on 28 April. And I think the GAC will need to consider what that means. And -- yeah, and take the consequences. I have the EBU next.

EBU:

Yes, thank you for the floor. I want to underline that this is a point, as I said this morning, of primordial importance for all the process we are talking about. The tags that have been mentioned by Avri in this report are tags that are in the guidelines. We're talking about something that doesn't work from the inside. There is a certain failure or rating in the mechanism that we have to deal with. And these mechanism are affecting the fact that ICANN can deliver and serve the public interest. So I think that we have to reflect on that.

The second point that I want to underline is the disparity of competitors. We are talking of community applicants where they fight

for getting one single dot level domain, competing with companies that have applied for 300 or 307 domain levels.

So there is a total disparity of means, total disparity of resources. This is something that needs to be totally taken into consideration. Because we want to develop the Internet. We want to bring into the Internet the real world. And this is not the way. There are some people that are controlling the market of the Internet, and they don't want others to enter into it. And this is particularly delicate and sensitive, because we are talking of community TLDs that are the future. Because, when the names that are exploitable and attractive will finish, the only one that will continue to work and have a future at the community base and the geo names base and the other things that reflect a real value in the society. If we are screwing up this mechanism, we are compromising the future of the whole mechanism. And we are affecting our hope to make of ICANN a body that could deliver public interest.

CHAIR SCHNEIDER: Thank you very much. Next I have the European Commission.

EUROPEAN COMMISSION: Thank you very much. While I share the comments that have been made by the other GAC members, of course, concerning a way forward, and I wonder if the proposal that was made by the U.K. concerning the role of the ombudsman and strengthening somehow the contribution to the role of the ombudsman might not be one

possible solution amongst others. It's not to say that we shouldn't continue to emphasize this in the communicate to raise it in the discussion with the Board, which I think is also a good idea.

My understanding, though, is that the ombudsman is limited, to a certain extent, in his activities with respect to process primarily. And here, clearly, there's a problem with the process. But I think there's even more of a problem concerning the transparency and the content. So, if there's a way of encouraging the contributions and the discussion with the ombudsman but also trying to find a way to strengthen the role of the ombudsman or some other source of identifying the real problems here, these are really public policy transparency issues that I think are of concern to everyone. Thank you.

CHAIR SCHNEIDER: Thank you very much. Other comments? Iran and the United States.

IRAN: Yes. In fact, when I asked for the floor, I wanted to raise or to address the issue of ombudsman. But now has been mentioned.

The issue of ombudsman role and its limitation was discussed extensively in the CCWG in two or three sessions. And it was felt, that first of all, whether we need ombudsman because currently the role is limited and sometimes it's just advisory capacity and there's no other follow-up action. It's not binding. It was discussed and finally said that it was better not to change that. However, we go to the

independent review mechanism and to address the issue to that which has some binding. Nevertheless, we have an extensive paper from the ombudsman and the ombudsman community and the Web site saying that they are open for individual talk, for formal talk and for collective and so on and so forth. So nothing else. My question is has this issue already been raised with the ombudsman or not? Thank you.

MARK CARVELL:

Thank you, Iran. This particular issue has been raised with the ombudsman. And he's received submissions from applicants caught up in the problem areas. So it's on -- he's issued a first account. It was in one of his blogs, a first account of the fact that he's received a number of complaints and very deep concerns about process, fairness, consistency, and so on. So there's an ombudsman track already on the go. Yeah. Thank you.

CHAIR SCHNEIDER:

Thank you. Just for your information, in addition, there hasn't been mentioned -- a letter has been addressed to the GAC via myself by Mr. Schwartz from CTAG which we also have Avri Doria containing some additional information and also additional proposals. You've received this on the GAC list lately. United States.

UNITED STATES:

Thank you, Chair. And thank you to Mr. Arasteh from Iran for making my point. The CCWG is quite well aware of the limitations, I think, that

currently exist in all of the mechanisms today for accountability. They're all process based. They're not merit based. And there are certainly some limitations to the role of the ombudsman.

But I also wanted to revert to, I think, a suggestion by our colleague from Spain that actually we know what we have said. And Los Angeles, I believe, was the last time we addressed this issue. And we noted in consistencies and the application of the criteria. And I believe we explicitly proposed an appeal process. And thank you for reminding us, Spain, that the Board has responded. So, if I could sort of as a favor to the U.K. who is proposing new communicate language, if you could actually reorient that language to the facts that we currently have and I suggest that we add this issue to the scorecard that we're now asking for, I believe, and to confirm what has been accepted and what has not. I think that might be the way to go forward in this particular communicate as opposed to some of the more detailed substance that I sense your paper is proposing. And apologies for that very late receipt for us to consider this very fully. I would urge a slight reorientation back to Spain, I believe, is proposing. We have been given advice. It appears to have been rejected. It needs to go on. It needs to be formally added to the list of issues that need to be taken up through the more formal bylaw consultative process. Thank you.

CHAIR SCHNEIDER: Thank you, United States, for this clarification. Other comments? We may take one more if there's one. Then we would go and have our formal well-deserved coffee break.

If not, the way forward -- should we task maybe the U.K. as the lead to start drafting a communique text as quickly as possible and share it with us as quickly as possible? Iran.

IRAN: Yes. A point I made and Mark referred to would you like to also put it in the list of the issues we raise with the Board? Thank you.

CHAIR SCHNEIDER: I think we can add this to the list knowing that we will have a very intense meeting with the Board. But, if this is an issue that you would want to have raised with the Board, I think that would make sense.

If there are no more comments right now, then I think we go over to the coffee part of this afternoon and meet back again at 4:00, which is in 24 minutes.

Thank you very much. Thank you to Avri for coming here. And we're looking forward to real progress. Thank you very much.

[Coffee break]

CHAIR SCHNEIDER: It is 4:00 local time, Argentinian time, UTC minus 3, so please take your seats.

All right. We will continue.

Okay. Thank you very much. Welcome back.

We have now another slot that we have freed for continuing our work on the CCWG. As we have an agreement on the text you sent to send to the CWG, we can now fully concentrate on the CCWG.

It actually reminds me that I would like to ask the secretariat to inform the co-chairs of the CCWG that they don't need to come anymore to tomorrow's session because we've already dealt with this.

TOM DALE: The CWG.

CHAIR SCHNEIDER: The CCWG. So Jonathan and Lise, that will note them, inform them that we free them of their time will. Thank you, Olof, for conveying the message to them.

So, now where are we with regard to the CCWG?

We have discussed this this morning that we would, before the lunch break, that we would work on these questions and try to have an

initial debate here on possible answers. So let me go back to the questions that we -- that I have put forward as proposed questions.

I don't know, maybe could we put them on the screen so that we all have them in front of us?

If that is possible, that may help us I guess.

And as we discuss these just three proposed questions, there may be more added by you, and they may be modified. So let's wait for having -- for Tom to give us the questions on the screen.

Yeah, okay. Well, the first -- I propose that we spend some time on each question and as it has been communicated that GAC members wish to have a debate and an exchange of views on possible answers.

The first question is the one about how public-policy considerations will be taken into account by ICANN in the proposed new structure. So let's spend some time on sharing views on this question.

We already have heard some comments about this. Upload is in process by user Julia Charvolen. That's nice.

TOM DALE:

Thank you, Thomas. If I can just add a clarifying point while the questions that -- there they are -- that Thomas had circulated are put up on the screen. And there they are.

The question, as a first bit of background, was to try to stimulate discussion and thought among the GAC on issues such as would the

GAC wish to simply indicate it wants to continue in its advisory role at the moment? Does it want to do no less than that? Does it want to do more than that and those sorts of issues, assume that can the GAC is a major but not the only contributor to public-policy work in ICANN. That was some background to that question, as I recall it being drafted a long time ago, Thomas.

Thank you.

CHAIR SCHNEIDER:

Thank you. And for clarification, this is not the proposed structure of the CCWG. This is the proposed structure of ICANN -- this is the structure of ICANN proposed by the CCWG. I don't know if you can correct the question in that sense. At least that's what I understood from the discussion.

So if you can please delete the CCWG. You can say in the new structure proposed by the CCWG.

Yes, United States.

UNITED STATES:

Thank you, Chair.

Actually, I just have a question. And it could well be that despite the fact that I am following the CCWG quite can closely, it is entirely possible that I have missed something. So I want to rely on colleagues to help me understand.

I am not entirely sure that I understand the use of the word "structure" because I have not seen a proposal that would actually modify the GAC, the ASO, the SSAC, the RSSAC, the GNSO or the ccNSO.

So my understanding is that the essential structure would remain the same, but that it is, as I think our three co-chairs have clarified in their town hall session, it's based on -- and Mathieu did earlier today. We were lucky in our exchange with the ccNSO. There is agreement, I think, fairly broad agreement, on a core set of requirements that the community has, you know, sort of come around to agreeing as very, very critical. And then it is how do you meet those requirements. And that's where we're getting into the questions of how do you somehow identify a mechanism by which those requirements can, in fact, be met.

So I think perhaps "structure" might be the wrong word. I see other people nodding, so thank you. I have not missed some important key fact.

CHAIR SCHNEIDER:

Thank you, United States.

No, in fact, thank you for this clarify, and I think you're absolutely right. We are not talking about changing the ICANN structure. This is not really what we're up to. But it's -- So help us get this right. Is this the proposed accountability model or the proposed empowerment? Or how do you we call this, what is proposed? To make that clear.

Who can help us?

Netherlands.

NETHERLANDS: I think the community is talking about accountability mechanisms, probably. That's better words.

Thank you.

CHAIR SCHNEIDER: So then we should read, "In the proposed accountability mechanism"?
Iran and then European Commission.

IRAN: Thank you, Chairman. Accountability mechanism is not wrong, but in fact accountability mechanisms have various vectors. One is the empowerment of the community, the other is enforceability. So either you could talk about accountability enhancement or you go to the mechanism, because there is no accountability mechanism. Accountability enhancement consisting of various elements.

Thank you.

CHAIR SCHNEIDER: Thank you, Iran.
European Commission.

EUROPEAN COMMISSION: I am going to change your question into a slightly different question, which may be problematic, but I think it might address the issue, perhaps, better.

As far as I understand, what the GAC wants to do is ensure that its public-policy advice and public-policy considerations are taken into consideration in the improved ICANN accountability actions, mechanisms, whatever else might be proposed. Because now we have a proposal from the 4th of May, but there will be other amendments, adaptations, extensions, et cetera.

So rather than leaving a very broad, wide open question how will it be done, because we don't know what the final version is going to be, would it not be better to say something like, "The GAC wishes to ensure that public-policy considerations continue and, these are the basic principles that the GAC would like to continue to have," such as we have already in the operating principles, in the articles of incorporation, et cetera.

CHAIR SCHNEIDER: Thank you, European Commission.

I think we are still not trying to give the answer. We are trying to make sure we ask the right question, just to make that clear.

A procedural question. Can we -- And this is not -- don't take this as a drafting exercise. We are just trying to get the question right that we talk about the same thing. Who can amend this text that we have on the screen?

Should we hand over the screen to Tom? But I think we get there to have a common understanding what the right question is.

I have the U.K., and then Iran.

UNITED KINGDOM:

Thanks very much, Chair. Specifically on the wording of the question, in place of "structure," I thought it was the proposed community-wide framework of empowerment mechanisms. Isn't empowerment the issue here? That we have our first amongst equals status under the current arrangements, and we are grappling with how to ensure that that is retained against proposals which are going to empower other parts of the community in the successive regime. So community-wide framework of empowerment mechanisms. Very long phrase, but that's my suggestion. I hope that's helpful.

Thank you.

CHAIR SCHNEIDER:

Thank you.

Iran.

IRAN:

Thank you, Chairman. Having been in that group for long time, I suggest that perhaps if Tom agree, produce a sentence below that in a way that I suggest for your consideration, and the answer would be, if kindly you could type it, if possible, below the first question. And my

suggestion would be how public-policy, either issues or whatever, are dealt with in the ICANN enhanced accountability.

How the public-policy issues are dealt with in the enhanced ICANN -- or ICANN enhanced accountability. We don't go to the mechanism, because there are various things.

Let us you remain general. And if you raise these questions, we can follow it up at further meeting of CCWG and ask to embark on that. So that would be the suggestion that I make.

If you want once again, how public-policy issues are dealt with in the ICANN enhanced accountability.

Thank you.

CHAIR SCHNEIDER:

I think we're about to capture the question. Let Tom and try and put this down. Maybe we already used the time, since it's running, to get some answers from the GAC on this question. I think we're more or less now, without going into the detail of the question, I think we know what we mean.

We've already heard some answers. So what, in your view as GAC member, would be answers to the question of how to ensure that public-policy issues are properly dealt with?

France.

FRANCE:

I know that to answer to your question, and I thank you for being so clear when posing this question.

I believe that there are two stages ahead of us. Before concluding this issue, we still have the Paris meeting and the public comment period that is going to give us some responses before Dublin. Perhaps at that time it will be late to say certain things, so it is quite difficult to contribute to text that we don't have in front of us.

So we are looking forward to the proposal on the community empowerment mechanisms proposal. So France will be paying interest -- paying attention to this kind of system with no votes. We believe there is already a text that establishes two strict limitations which are clearly stated. In terms of procedures for the GAC competencies or remitting public-policy related issues. I said this on Sunday.

So it is essential for us to make sure that these two limitations core value 11 and the stress test should no longer be included in the next version. If these two GAC limitations related to public policies were to stay in the next version of the proposal, I don't know how we are going to support that version.

CHAIR SCHNEIDER:

Thank you, France, for this clear response on your part.

Are there further comments from the floor? Portugal, please.

PORTUGAL:

Yes. In order to give a response to this question, in view of the information that is currently available and based on my reading of the text available, our position is that the public-policy issues obviously have to be dealt with by the government. Obviously governments not be limited in no respect.

So any wording in the proposal or in the text referring to what the governments do or don't do within a certain boundary, provided that there is a limitation to the role of governments, I think that this would be unacceptable, because you cannot limit the role of governments in these kind of issues.

At the same time we need to be first among equals.

We need to have the same role as others. We are not a technical community. We are governments.

So just like no one is going to limit the technical community telling them that they cannot do a certain thing with a standard, or the governments cannot be told that they can or cannot do a certain thing.

So all of us play a specific role. The technical community plays its own role and governments play our own role. And each of us have a certain role to play.

Thank you.

CHAIR SCHNEIDER:

Thank you, Portugal.

I have the U.S. and Iran and Spain.

UNITED STATES:

Thank you, Chair. I'm happy to share with colleagues sort of our take on that first question. We don't see any proposal, any portion of the current proposal -- fully take France's point that we haven't seen the next version of it, but we don't see any change in the role of the GAC at all, and we don't see any proposed change in the role of the GAC.

So I couldn't agree more with Portugal. We are first among equals. We wish to see that continue. But, if I may add, there is a certain sort of responsibility that the GAC itself has already committed to.

We've been challenged, I think, in living up to it, but in accepting ATRT1 and ATRT2 recommendations, which we have, we have committed to collaborating more closely with policy development processes that are undertaken by other SOs. They are charged under the bylaws with the development of policy. ccNSO for ccTLD policy and the GNSO for gTLD policy.

So we have made a commitment. Again, as I say, the record is a little thin on our side, regrettably. We have been overwhelmed with other work. But that is how I would think we would take things forward.

With regard to stress test 18, we have read that perhaps differently than others. We do not read the proposed text for stress test 18 as telling the GAC what to do in any way, shape or form. We read it as saying if you, the GAC, determine, based on your own considerations, that you are going to change your current methodology of developing

consensus-based public-policy advice, so if you change and move away from consensus-based policy to a majority view, then -- so it's an if/then situation -- then the bylaws would be amended to reflect the fact that the community believes the Board should not be required to assign the same deference, the same weight that they currently assign to consensus-based GAC policy.

So from our perspective, it's a fairly direct if you do this, then that will happen. It doesn't say you cannot share that advice. It just will not be treated the same way as it is now under the bylaws.

Thank you.

CHAIR SCHNEIDER:

Thank you, U.S.

I have Iran.

IRAN:

Thank you, Chairman. The issue of public policy is contained in Article XI, section A of the bylaws and is also referred into the Affirmation of Commitment.

What is happening is happening under stress test 18, there is a paragraph added, first of all proposed accountability measures. And it mentioned one proposal measure would be Amadeu ICANN bylaws Article XI, section 2, item 1J to require trying to find a mutually agreeable solution only where GAC advice was supported by GAC consensus. It's okay.

The following paragraph, GAC could change its operating principle 47 to use majority voting for formal GAC advice, but ICANN bylaws would require trying to find a mutually agreeable (indiscernible). This is an area that we won't agree. We don't want that to put anything in the new bylaw that GAC may change its position. We leave it as open as it is today.

Your reply to the CCWG was quite clear. Your advice or advice of the GAC as various categories, consensus basis or various steps of the advice. So we don't need to put anything in the new bylaws saying that GAC may change its working method where principle 47 to go for the majority. That is the only thing we have to say. Otherwise, everything is covered.

Thank you.

CHAIR SCHNEIDER:

Thank you, Iran.

I have on the list Spain and the Netherlands and Brazil, and then we may have to conclude for now. Of course, we will continue tomorrow because there will be another session.

And Denmark.

So next is Spain.

SPAIN:

Thank you, Thomas. I will speak in Spanish.

In relation to the ICANN accountability topic, we had been quite active as Spain from the very beginning in the whole work of this group. So I would like to briefly commend what we have said on several occasions during the public consultation period, particularly last month, with respect to the three questions that our chair have so kindly submitted to us.

From our point of view, we have to maintain the status quo of GAC as first among equals within the ICANN ecosystem. This is key.

And we should not diminish the capacity of GAC to protect the general interest with respect to public policies.

This is, in fact, the key concept in this whole process of accountability and ICANN's reorganization.

Therefore, the GAC should not suffer any reduction in terms of its legitimacy or capacity to provide advice to the ICANN Board.

So stress test 18 and core value 11 are measures that have been proposed in the recent versions of accountability and they should not be accepted, because in no case a government may accept a limitation to its capacity to provide advice.

The only limitation for us governments is to respect our local laws and international laws. We cannot be limited by ICANN's bylaws.

And with respect to IRP, we are concerned because even though it has been substantially enhanced in the latest version, there are some things that raises our concern. For instance, the bind being nature of

an IRP and the output of the IRP for parties that are not contracted parties to ICANN. Particularly, governments. All these things should be reviewed, should be improved before the proposals for the enhancement of ICANN's accountability are submitted.

CHAIR SCHNEIDER: Thank you, Spain.

Then we have The Netherlands.

NETHERLANDS: Yes. Thank you, Thomas. I will be brief.

I have three points to mention. First of all, I think we should very much make me a difference between two questions. I think one and two are a little bit posed that way, is that first we look not from our role as GAC which powers we have but at role or whether the public policy, public interest is being safeguarded with the mechanisms. That doesn't necessarily mean a role for the GAC.

I think this is -- for me, for Netherlands, this the primary goal. Look at the -- Make the organization accountable, transparent, et cetera. Does it conform to criteria we have from public interest?

The second point is the role of the GAC, and I concur with some other colleagues with the opinion that we should not extend our advisory role. That doesn't mean our advice should not be taken account. I think even there should be ways in which in the new structure -- because I think there will be a fundamental structure. If not -- let's

say, the community powers will introduce another kind of balance of powers. The Board will now have not only their fiduciary obligation but they will also have a community obligation, or whatever name you will call it.

That means that it will change the culture of ICANN in a positive way.

And my preliminary thoughts would be that while we are now only giving advice to the Board, there should be also ways of giving advice to decision-making procedures within, for example, this kind of supervisory board which can have these community powers.

So -- Because the Board will not only the center of power anymore of ICANN in decision-making.

So probably the GAC would look at -- should look at ways in which their advice is extended and not only being brought to the Board, but also in anticipation of major decisions in these five community powers.

Thank you.

CHAIR SCHNEIDER:

Thank you, Netherlands. This is actually a good element that hasn't been brought up before that I think we should all think about.

I have Brazil and then Denmark.

BRAZIL:

Thank you, Thomas, and thank you for providing us once again for the opportunity to reiterate, say, some historical positions we have on these issues. And let me remind the GAC colleagues that our comments were also provided in written form to the CCWG during the public period comment.

As I said, we believe that in the current ICANN structure, the relevance of the specific role of governments has not been adequately recognized. And so we do not believe we are first among equals without respect to the positions expressed, but we do not believe that since we only provide advice. We said that several times.

And that's why, therefore, support in the new ICANN accountability framework a more significant involvement of governments that goes beyond the merely advisory role that the GAC holds today.

So what I'm saying is that we believe that public-policy considerations should have a more significant influence in the overall ICANN decision-making process.

And, to be more specific, we think that the appropriate arrangements should be adopted in order to ensure that the different groups of stakeholders could participate in new mechanisms on an equal footing.

So, however, giving the corporation's present legal status, we all know, we consider that difficulties may prevent governments in this situation to participate in a representative manner in such new mechanisms.

And let me, before I conclude to reiterate what we said several times that we believe, if no legal solution is proposed that could enable governments to join such mechanisms on an equal footing, the very legitimacy of the whole exercise will be at risk. Thank you.

CHAIR SCHNEIDER:

Sorry. I'm just taking notes. Give me one more second.

Next we have -- where is my list? Denmark and I think we should then close. We have Italy and -- then we close the list for today. We will continue to discuss this tomorrow morning. So you don't have to be afraid that you won't have the chance to speak.

Denmark and then Italy. And I hope we can close this respectively. We have to because we have another session coming up. Please be brief. Thank you.

DENMARK:

Thank you, Thomas.

We share the view which have been aired by others that GAC should not extend the advisory role towards the report. We haven't read the proposal which is on the table and which will be amended by the CCWG that it in any way restricts GAC to come up with advice. What it do and which we agree with is that the Board has only a special role to take into GAC advice when it is a consensus advice. And we think that is reasonable. It has been brought up in the discussion of whether there could be capture in the upcoming arrangement. And we think,

from a Danish point of view, it's very important that no -- nobody, no individual, no organization even government can capture the organization in the future. That's why we think it's important to keep the rule that the Board only have to take into account the GAC advice when it's in consensus. We actually think that is quite important that we stick to the consensus rules. We have not other things on the core value is a limitation. After all, what we have seen is that, of course, the Board have to stay in the limits of the core value and the mission. They have to obey to what is in the core value and the mission, even though that government might come up with our other suggestions. I think that will be their duty.

Coming back to the new structure I think is important and I think it was raised by the Netherlands that we are trying to think how GAC can give advice in the new structure whether it will be a membership structure, whether it will be empower the AC/SO model. How can we best give our advice in that new structure. That is, we think, important to look into. Thank you.

CHAIR SCHNEIDER:

Thank you very much, Denmark. We have Italy next and last.

ITALY:

Thank you, Chair. Italy concurs with the observation of French, Portuguese, and Spanish colleagues. We appreciate all the efforts made by CCWG to improve ICANN accountability. But we believe that further steps should still be made that will reach a satisfactory

solution. We think that is inappropriate to think about the role of the GAC without a clear definition of its scope. And it's our opinion that the proposal is now limiting the scope of the GAC. And it's something that we should change in the next iteration of the document. Thank you.

CHAIR SCHNEIDER:

Thank you very much for this engaged exchange. We will stop this discussion here and resume tomorrow after the exchange with the Board.

So we will now move to agenda item 22, which is a discussion on the upcoming high-level governmental meeting that is supposed to take place in Morocco in next March, early March. So we have a lead here, which is the representative of Morocco. I can't see you here. Thank you, Redouane. Please go ahead.

MOROCCO:

Thank you very much, Mr. Chairman. Thank you, first of all, for the opportunity to share with GAC colleagues an overview and preliminary information on the preparation process for the high-level governmental meeting in Marrakech March 2016.

Just to recap, in March 2015 Morocco government expressed officially, during the visit of the ICANN CEO, the willingness to host the high-level governmental meeting in Marrakech. It will be the first high-level meeting in a developing country and in Africa taking place at the 55th meeting of ICANN.

At that time I shared the information with GAC chair and colleagues to ensure an early and efficient preparation for the meeting. I would like to thank all colleagues for expressing their support to me and their readiness to work to make this event a success. I would like also to thank ICANN secretariat and GAC secretariat for their assistance and support.

As we know, the high-level meeting of government is being held to increase the support and commitments of government to the GAC and is in response to recommendation 14 of the accountability and transparency review team. It's a very good occasion to address and highlight important issues from government perspective with regard to management of critical Internet resources and the role of government in a multistakeholder environment.

Two previous high-level meeting governmental meetings have taken place in Toronto in 2012 and in London in 2014. The two high-level meetings has been useful and valuable. And I'm sure that the next meeting will build on the lessons learned from the previous meetings.

Given the relatively limited inexperience with this process, the first obvious question to us is about the substance, opportunity, objectives, agenda, and outcome and, subsequently, the organizational and logistical aspects.

So I will try to shed light about some of these elements very quickly.

So the high-level meeting government's meeting from the perspective of Morocco is a form of outreach for bringing high-level officials to

attend and get as many perspectives as we can, especially from developing countries as well as least developed economies and small island and developing states. It's an opportunity to have an exchange on recent developments within ICANN-related to post-transition process and challenges ahead and to hear views from senior officials from governments and IGOs on increasing the recognition of the importance of GAC contribution to ICANN. Thirdly, it's a means to facilitate the exchanging of views on a number of key issues and developments related to GAC role and working methods.

It's finally an occasion to continue discussion on new collaborative approaches that will assist in building capacity, fostering growth, and expanding benefits of the digital economy in developing countries with limited resources and expertise.

Second point is about the agenda. We intend to build on the previous high-level meeting governmental meeting, but we should put the meeting in context. We look forward to a smooth and well-managed meeting agenda since it's a one-day meeting. The agenda will be linked to the team we will agree on. Regarding the team, I want to place the forthcoming high-level governmental meeting in Marrakech within a context of looking at strategic issues discussed within GAC on accountability, but looking most importantly at Internet governance more broadly, looking at the development issues as they relate to the management and coordination of domain name system, looking also at the issues of security.

I have the sentiment that, if we would deal with technical issues or talk about technical issues, that might not be something that we call ministers to travel to Marrakech. So real issue is having an agenda that is attractive, inclusive, and substantial and that makes a difference and convinces and attracts enough people to come to that kind of level.

I have started informally with some GAC colleagues and ICANN leadership preliminary consultation in order to identify key strategic issues for discussion and then consult with GAC colleagues through our chair on that basis in order to finalize the scope of the meeting and its program.

In this regard, I propose that we could agree in Buenos Aires to set up a working team to flesh out the agenda and submit it to the GAC chair well before Dublin meeting. How about the desired outcome? I believe that the outcome of the meeting should be a shared statement, declaration, or communique under his responsibility to capture the essence of these discussions and draw some conclusions and recommendations.

We do not intend that the outcome document should be a negotiated text. However, we think that, given the substantive discussions and the level of participation, the outcome products can be shared through ICANN secretariat with other IGOs and forums as a contribution from GAC and ICANN in general in the different multilateral processes on Internet governance. I hope that the Marrakech document will constitute a contribution to the follow-up of

forthcoming multilateral events, for example, the IGF in Brazil, the World Summit on the Internet Society Review, which will take place in general assembly -- U.N. general assembly, and also the Summit on Sustainable Development Goals.

Let me touch upon now about the preparatory process. At the national level we have established a national community including all stakeholders to follow up the preparation process of ICANN meeting as well as the high-level meeting governmental meeting. We intend to issue and send the letter signed by the minister of trade, industry, and digital economy as early as possible, early before the Dublin meeting. As you know, July and August are holidays. So we can start work in mid-September.

We intend to use our diplomatic network both here and abroad. This will be vitally important to ensure participation of high-level officials by explaining the aims and the value of the meeting and the reasons to attend. We think that GAC colleagues have a role to play in promoting awareness among their with ministries and national agency. We have close contact with ICANN officials to secure the participation of ICANN leadership in the person of CEO and chairman of the board during the high-level meetings. And we intend also to ensure that the host minister, Mr. Alami, will chair the high-level meeting along with the support of the GAC chair as a vice chair.

Since last March we have started our consultation with support of ICANN officials and staff and the GAC secretariat in preparing the physical meeting and financial aspects.

Furthermore, I have many contacts during this meeting with ICANN secretariat and GAC secretariat, and we appreciate very much their commitment and support. We will continue discussion about the logistical and organizational aspects in the coming weeks.

We look forward to continued ICANN support and offer financial assistance to travel to Marrakech for a number of participants and generally of their facilitating the meeting so effectively.

Thank you very much, Mr. Chair. We stop there and would like to hear some feedback from colleagues. Thank you.

CHAIR SCHNEIDER:

Thank you very much, Redouane. I think your statement shows that you have been quite active and take an effort to get a clear view of your expectations on the value added of this meeting, on the one hand, but that you also have already started to dig into some logistical and other preparatory work, which I think is very good signal that shows that you're committed to help us have a good and meaningful meeting. So this is something that I guess, in the name of all, I would like to thank you for the work you've already started.

I'd like to give the floor to the room to make your comments. I don't know whether we want to separate timing and other logistical issues from discussion on a substance. But, since we have only roughly 15 minutes left, so any comment, I think, is useful at this stage.

And I would just signal that I think it's timely and good that you propose to set up a preparatory team here in Buenos Aires that work

will actually start on the logistics as well as on the issues so that, ideally, I would say we have a draft -- we have a program and agenda of the meeting ready and agreed by the GAC in Buenos Aires -- in Buenos Aires -- in Dublin. This constant changes of venues is quite -- so that we can then maybe send out invitations in a "save the date" type already now or before the summer break but come up with an invitation with a program around Buenos Aires.

So the floor is yours. Please comments and questions.

I have Indonesia and Mr. Chen Chung Shu after. Indonesia.

INDONESIA:

Thank you, Mr. Chairman. First of all, our appreciation to the Moroccan government that propose to host the high-level meeting of the ICANN 54 -- 55. I forget the number.

And, Mr. Chairman and also our colleagues from Morocco, I think the high-level meeting in Morocco will be very important from the time -- WSIS, by example. By March 2016 we'll know what is the NTIA decision. We will have the WSIS most likely extended after the next UNG meeting in New York.

I do not know what the ICANN -- perhaps Fadi will still be at ICANN. I just want to make sure about that, Mr. Chairman.

Now, based on that important activities before the Marrakech, then that meeting will be very important.

Now, several points that I would like to comment to improve -- to increase the importance of the meeting is, regardless of the results of the NTIA decisions or proposal of the ICG and so on, hopefully, in Marrakech we can make some sort of commitment from all the government that we are really one world, one Internet. We do not want to repeat what has happened in the navigation system, the global navigation system. One world, many global navigation system. We want one world, one Internet. And because of that we want -- we are going for an independent global Internet system, a multistakeholder management system. And this is the kind of commitment from the high-level meetings that we would like to get.

Now together, of course, we have to work out the agenda and so on. And Indonesia is willing to support Moroccan GAC to set up the agenda. Because Indonesia we think this high-level meeting for the Internet is extremely important and want to make sure that it will be a successful outcome for the high-level meeting.

Now, there's several many details that we need to know later, for example, that, from the logistic point of view, the administrative point of view, the invitation should come from the minister, for example, just like London ICANN meeting. And how would the declaration, the final declaration as we have in London, in NETMundial, in the last GCCS, for example. There is no signing of the declarations. But there is high-level declaration, non-signed declaration or chairman -- the Chair's summary. So these are the kind of things that we have to finalize before we decide that in next ICANN meeting in Dublin. These kinds of things that we would like to know -- we would like to decide.

And, from the administrative and logistic -- and -- but for the substance, I think we have to make sure that our Internet system will be still well for the next many years to come. Thank you.

CHAIR SCHNEIDER: Thank you.

Next we have Mr. Chen Chung Shu.

CHEN CHUNG SHU: Thank you, Chair. First we wish and look forward to a very successful HLGGM in Morocco next year.

We fully support the holding of an HLGGM meeting in view of fostering and improving the awareness of what is going on in an Internet community to high-level official from as many government as GAC members.

Yet we need to remind ourselves of what substantive objective or what concrete result we want to achieve through conducting such high-level meeting. As we all know, it is not realistic for us to expect that there would be a rather substantive discussion in HLGGM.

Yet, holding such meeting caused a lot of effort in coordination and arrangement matters concerning beforehand the HLGGM. So maybe it won't be put into -- yet there exists in rough mechanism such a (indiscernible) guide for HLGGM which says the GAC will likely dedicate a section within its meeting to start talking about how the HLGGM when

attendance discussion topic and outcomes. Yet we think it is not enough.

So my humble opinion is that an appropriate review of assessment mechanism should be put into place to check whether it is indeed worth to have such event every two years. In brief, my point is that the existing review mechanism for HLG M may need to be improved so that maybe it won't be put into question to hold or not to hold HLG M in the future. Thank you.

CHAIR SCHNEIDER:

Thank you. Next I have Thailand.

THAILAND:

I would like to make very basic points on since the last time on high-level meeting. We have quite difficulties of -- it's not referred to London, specifically. But there are also several occasions that the -- as to whom to which minister should we invite is coming late. Just discussed also with Olof that are there possibilities that we set the dates that all the GAC members should advise to which minister that the host should send the letter to? And we need to coordinate more. And -- because we also need to make a briefing letters and several issues and in the past to even the letter go to the wrong ministry office, and it took a month before we can find out.

So I do believe that this time, if the secretariat of the GAC could assist in update the data on the invitations and coordinate, I want to be sure

that we can arrange the travel for the minister to the event on time.
Thank you.

CHAIR SCHNEIDER: Thank you. U.S.

UNITED STATES: Thank you, Chair. I simply wish to express our -- the appreciation of the United States government for the offer, the gracious, generous offer of the government of Morocco to host the third high-level meeting. We're very happy to anticipate our participation and to contribute in any way we possibly can to make what I'm sure will be a very effective high-level meeting.

Thank you.

CHAIR SCHNEIDER: Thank you, U.S.

Egypt.

EGYPT: Thank you. And again to thank Morocco for their offer to host, and also for suggesting to create a working group to work on this. I think this would be very useful.

Also to highlight and stress what Indonesia mentioned regarding the timing. And finally, to express willingness and commitment to support in whatever form so that we can have a third successful meeting.

Thank you.

CHAIR SCHNEIDER: Thank you.

U.K.

UNITED KINGDOM: Yes. Thank you, Chair, and thank you, Morocco, for giving us an update. Very timely, as you say, ensuring the lead to the event is long enough to ensure -- to provide effective preparation is very important.

I would also endorse what you said, Chair, in it being incumbent on us as GAC members to flag this now at this stage ahead of the formal invitations issuing within our respective administrations.

And I just want to sort of highlight one potential difficulty that's always the case with these events relating to Internet. It's not always clear in administrations which minister or senior official is going to be the best person to attend if at the stage of still developing the themes and key high-level issues to be addressed.

There was mentioned by Morocco, very helpfully, I think, of sustainable development goals and ensuring the benefits of the Information Society are advanced in developing economies and small

island states, and so on. That is quite a significant issue and will be of interest to perhaps more than one minister and administration.

So I'm very happy to contribute to a working group as a means to start the serious work of developing the agenda and identifying the high-level issues that will attract substantial contributions from administrations worldwide. And also the opportunity to reach out to those governments which are not participating in ICANN through the Governmental Advisory Committee. There must be like 40-odd administrations worldwide. So another opportunity to give that extra push to outreach to those governments.

Those are my initial thoughts.

Thank you.

CHAIR SCHNEIDER: Thank you, U.K. I have Iran and Namibia.

IRAN: Thank you, Chairman. The suggestions of establishing a working group is a good suggestion. Perhaps we should consider that, and perhaps we should devote that to Morocco. Somebody proposing a working group should take up that working group usually. And I think all of these discussions would take place in the working group: Who we invite, what is the agenda, what is the output of the meeting, and so on, so forth. So I think Morocco fortunately has taken note of that. But what I suggest is just for the group to take into account that we

should use the experience of the last meeting in London, which worked very well and did not have major difficulties, because personally I have doubt about the report of the meeting. Report of the meeting is something quite difficult. But the chairman report on the discussion of the chairman, that is something else. Could be presented as the way under discussion of chairman. But these are the things to be considered by the working group.

Thank you.

CHAIR SCHNEIDER:

Thank you, Iran.

Namibia, and then I think we have to conclude, and we'll follow-up in this group as suggested. Whether we call it a working group or something else I think is not the point, but we need to start now or continue in moving this forward.

So Namibia.

NAMIBIA:

Thank you, Mr. Chairman.

Just also to add my voice to the colleagues. And thanks, Morocco, for the opportunity. We look forward to that, and we will, of course, provide whatever assistance is needed.

I just wanted to address the issue of the invitations. I know that the -- the invitations will go out, but then sometimes it doesn't get to the right -- to the right ministries or ministers or intended recipients.

We have a proposal or we will, from our side, assist in getting an authenticated list from, I think, ICANN. We can also use the ITU list and compare so that that can assist Morocco in identifying appropriate invitees. But be sure of our support. Namibia and, I suppose, Africa because this is a proud time for us, and we really would like to invite the GAC members to give us your full support.

Thank you very much.

CHAIR SCHNEIDER:

Thank you very much, Namibia.

We will now move....

Oh, sorry. Yes, of course. Thank you very much.

Please, go ahead.

MOROCCO:

Thank you very much, Mr. Chairman. I just want to thank all colleagues for their positive input and advice.

So as Iran proposed, we will be -- we will volunteer to chair this group with other colleagues in order to come up with the specific issue to discuss during and expedite the preparation for the agenda and the letters.

And regarding the issue of to whom the invitation should be sent, I think that ICANN secretariat and GAC secretariat can provide, but also GAC colleagues can help us in order to send the letters to the right ministers. And we'll continue to inform GAC colleagues about that during Dublin meetings or before that by email. And thank you once again.

CHAIR SCHNEIDER:

Thank you very much, and thank you again for your commitment and all the work that you have done and all the work that you will do in the future.

So with this, I would like to end this session on the next high-level governmental meeting, and that will bring us to the final agenda item, which is number 23 which is the preparation for the meeting with the Board.

If I remember correctly, we've already sent the preliminary agenda to the Board, because we've been asked to do so, but this should by no mean limit us on what is there on this preliminary agenda. This is just a proposal. So we have one hour's time to discuss this, to amend the agenda, to add elements that we have discussed here during the meeting, but also other items that you would want to see on the agenda of the meeting with the Board.

We may get a long list, so we may have to prioritize issues. So the floor is yours.

This is what has been proposed preliminarily as a start for discussion.

So your comments and proposals, please.

I see the African Union Commission.

AFRICAN UNION COMMISSION: Thank you, Chair. Colleagues, the African Union Commission would like to request discussion or an update regarding the .AFRICA delegation, please.

Thank you.

CHAIR SCHNEIDER: Thank you. This is an issue that we've already raised earlier. I suggest it makes sense to have a discussion, or at least ask for an update. So I see people nodding. So we ask that this list....

I'm just being informed that we have received a letter that we will forward to you on the safeguards, so just -- you will get it. That has got nothing to do with this right now, but check your mailbox. We received a letter from the Board on the safeguard. So that will be -- since this is an issue on tomorrow's agenda, at least it's proposed, that is probably worth taking into account.

Can we have on the screen the list in a way that we can amend it and add to it? That would be nice, if it's possible. Otherwise, we'll do it without.

So I see that the U.K. was to say something.

Thank you, Mark. Go ahead.

UNITED KINGDOM:

Yes, thank you, Chair. And in our earlier discussion about the -- what has happened with Community Priority Evaluations, I think we did agree that we would raise this with the Board in view of the advice we had provided specifically on appeal mechanisms and the response we had to that, rejecting that. So there's that.

And more generally on that topic about conveying to the Board our sense that that whole process of community evaluation should be reorientated to advancing the public interest through a process that's not going to be a barrier or a challenge to communities but one actually that serves to advance the public interest. And I'm sure that would have resonance with the Board and with the community. And maybe this dialogue is the opportunity to sort of develop the dialogue in that way.

So that's my suggestion for addition.

I see there's a query about the last item with regard to the WSIS+10 review. We've had a briefing from the GSE, and I'm not sure actually what benefit it would serve when we've got some critical issues to sort of press on substantive issues of concern for us. So maybe that is a very optional one, perhaps even taken off in view of the time pressures of the meeting itself.

Thank you.

CHAIR SCHNEIDER: Thank you, U.K.

With regard to the community application discussion, I think we agreed that that would be put on the agenda in the session on this. Tom is writing down. The screen will be changed, so you will have the list we discussed.

Next. Maybe give feedback on the U.K.'s proposal to either delete the discussion on the WSIS+10 or at least put it at the lower -- at the lowest, probably, priority. So if this is acceptable to you, then we may, I guess, use the time for other items.

I have the European Commission and the United States next on the list.

EUROPEAN COMMISSION: Yes, thank you very much, Mr. Chairman.

I was going to say more or less what the U.K. had said on CPE. I think in this context, it's perhaps useful to say orally to the Board and remind the motivations and the justifications for some of the issues that are in the communique, because I had understood that this was part of the process. You want to justify to the Board why certain issues and certain aspects are raised in communique. And so with respect to safeguards and also in the context of CPE, which is what the U.K. has just raised, I think it's important and useful to orally remind the Board of what the general context is, and then in the communique we have the details.

Thanks.

CHAIR SCHNEIDER: Thank you, European Commission.

United States.

UNITED STATES: Thank you, Chair. And I would be happy to agree with the suggestion that WSIS+10, we might run out of time, quite candidly. And just a clarification and perhaps a slight tweak to what the U.K. and the EU Commission -- U.K. is proposing and the Commission appears to be endorsing, is to stick to the GAC advice that has already been agreed rather than suggesting a reorientation at this moment in time in the new gTLD program.

So I thought we had agreed quite some time ago that issues that we have identified that perhaps have run into some difficulties in this process would, in fact, be at the very top of the list for future-round discussions, which in fact we have already begun to do. We've had several working groups on those matters.

I would find it quite awkward at this point in time to be suggesting a reorientation of what is already in the pipeline. So we've had these discussions, I believe.

So I'm more than happy to have the U.K. be our voice on restating what we have already agreed with regard to community applications, but to not go any further.

Thank you.

CHAIR SCHNEIDER: Thank you, United States. This is noted.

Further proposals? Iran.

IRAN: Thank you, Chairman. You have eight questions and you have 60 minutes. So we have to have some sort of arrangement of that, not the whole one hour be taken on question and one and two. Perhaps you should concentrate on the question that is more or less more priority for GAC rather than IANA transition. We have heard from the Board in the presentation. Perhaps we should go to a lower category starting with main question of GAC. This is really for you, and perhaps remind them, all people dealing with that, to raise it, to have some time management for each question.

Thank you.

CHAIR SCHNEIDER: Thank you. This is noted.

We may actually -- two possible logics. We can start with what we think is most urgent or most priority, or we can start with things where we think that discussion will be short. We would like to pass a message or get an answer and then move on. So there are two ways of, actually, allocating the time and leave, for instance, the remaining

time that we have for the exchange on stewardship and accountability while having rather limited points, not in importance but in scope of the discussion, earlier, if this is what you're referring to. I think that would make sense.

Let me maybe ask the question. Is this list complete or should there be something added to it? And then we may have a quick exchange on the priority or the....

So is there anything missing? Is there anything that you would like to be added to that list?

I think it's quite long already, so if nothing is coming up, I think we'll have definitely enough issues to exchange with.

So in terms of order, we would think of putting -- then making it clear to the Board that this may not mean that what comes last in the list is least important, but we may think of putting the discussion -- an exchange on stewardship transition and ICANN accountability at the end so that we reduce the time remaining at that time on -- on this.

Does this order now look reasonable to you or should we shift other things?

Okay. Just a point for clarification from my side. Country and territory names at second level. Are we clear on what this means, what we will discuss on this?

Can somebody help me, at least?

Yes, Iran.

IRAN: Thank you, Chairman. The previous meeting with Board we had at least discussing what we want to raise under each questions and asking those who are behind each question to prepare themselves relating to question. You start to introduce the question and you identify the people behind each question to raise that or you raise it yourself. But as you mention, we neighborhood to have some clear introduction of each question. It should not just be like that saying .AFRICA and then ask the Board about .AFRICA. We have to say what are the questions or the concerns, so either someone prepare that or you prepare it yourself.

CHAIR SCHNEIDER: Thank you for clarifying. And I take your point. We may implicitly assume who is starting, and it doesn't have to be me. This is not an exchange with the GAC chair and the Board. It's an exchange with the GAC and the Board. So I have no problem if we make it clear who will start the discussion on each of the items. Maybe we can add that, at least internally for us, to this list. That might help us also see things clearer.

Before giving the floor to Spain, community priority applications, we assume the U.K. as the lead on this would start; right? .AFRICA, that would be the African Union Commission. The new gTLD safeguards would be the EU and/or the U.S.? EU? Okay. Thank you.

Country and territory names at second level, who would that be?
Spain? Okay.

New gTLD program reviews? Myself? Okay. All right.

IANA stewardship transition and ICANN accountability.

Yes, Iran.

IRAN: I can take the last one.

Thank you.

CHAIR SCHNEIDER: Thank you.

Should we ask one of the two members of the GAC in the stewardship transition to start this?

I hear Norway proposed. (Laughing) So you heard it, too.

Okay. She's nodding.

IRAN: Provided that you say CWG but not CVG.

Thank you.

CHAIR SCHNEIDER: Well, that's cultural diversity. I think we understand when she says CVG what she means.

All right. Spain, did you want to comment on my question that I was raising? Okay. Thank you very much.

SPAIN: I guess it is to inform the Board about the development of the table that expresses GAC members request to be notified or waivers to be notified because we promised in Singapore that we will develop that database. That's an information point, I think.

CHAIR SCHNEIDER: Thank you. That makes sense.

U.K.

UNITED KINGDOM: Yes, thank you, Chair.

Can I just seek clarification, what is the main thrust or message on accountability that we're advancing at the meeting with the Board?

We are all in the middle of sort of exploring what is going on, a fluid situation. I explained earlier I have a process that goes beyond Buenos Aires but up to Paris.

So perhaps this is a question to Iran, what your expected intention is. I'd like to know at this stage. I'm not quite clear.

Forgive me if I've missed this --

CHAIR SCHNEIDER: Thank you.

UNITED KINGDOM: -- coming through earlier. Thank you.

CHAIR SCHNEIDER: Before giving the floor to Iran, I think we don't necessarily have to pass a message. It can be just an exchange, as others have had, an exchange with the Board, exchanging some information on where we are, what we are discussing, asking questions to the Board about how they see things, and so on and so forth. But, yeah, maybe, Iran, if you have concrete ideas, please share them with us.

IRAN: Just as you mentioned, exchange of view with the Board. We will raise the question that under the ICANN enhanced accountability, there are various measures proposed: Empowerment of the community, independent review mechanisms, establishment of some sort of the enforcement of these, among which would be type of the membership, whether it would be the voluntary membership or (indiscernible) of the membership or member modelship. And would like the views of GAC -- sorry, of the Board with respect of any of these two. And their complexity and their implication on the Board. Just to be clear that what is the consequence of that as far as today is

concerned, taking into account that one of the major elements which was causing considerable difficulty on incorporated association has already been off table.

Thank you.

CHAIR SCHNEIDER: Thank you. I have Germany next.

GERMANY: Sorry, Chairman. May I jump back to another issue, another -- it is about country and territory names on the second level.

I question myself what are the messages we want to give to the Board? I think we have received a comprehensive explanation what are the country names. I think everybody has at least had the chance to deliver their government's position to our secretariat, to ICANN insofar we can only say mission accomplished. Or what is the rest we can say?

CHAIR SCHNEIDER: Thank you, Germany. Well, I think it is about -- it's not a big discussion. It's, basically, a piece of information that we update the Board on where we are with our table that we have asked, invited GAC members to fill and inform them that we have a deadline until, I think it was 15th of July. So to inform the Board that we are doing this work, so that they know. And, since others normally are also attending, that the rest also is informed that we are trying to move this forward, trying to be pragmatic and helpful to registries who will then use this list and

so on and so forth. So it's just -- we don't need to discuss. I don't think we spend much time on this. But it may be useful to give that information that community knows that what we are doing. I hope that is agreed and that answers your question.

France.

FRANCE:

Thank you very much. I would like to know whether we can add a bullet point for this meeting. And, if possible, I think that it would be interesting if the GAC and the Board may exchange ideas about -- the point is not to find the adequate candidate that pay homage to the current CEO and to speak about how his personality and his work have been significant.

If you think it's appropriate, I may take the lead.

CHAIR SCHNEIDER:

This is really a key topic for the future of ICANN. And I think that ICANN would like to exchange and perhaps give its view about the future CEO.

We might include it as an option. It's you who have to define whether this is a good idea or not.

IRAN:

This is a good idea, but perhaps it goes to the last question. If the time permits. Thank you. From the priority point of view.

CHAIR SCHNEIDER: So I see people nodding. U.S.

UNITED STATES: Thank you, Chair. Not to be facetious or difficult. But perhaps France could share with us its views as to how it might share with the Board what the GAC thinks about a new CEO. Or was it your intention to simply speak about France's perspective? Thank you.

FRANCE: I don't think that we can set a common view regarding the work done by the CEO who hasn't yet finished his term. If this is a problem, I will not raise it. But I would have liked to say that we appreciate the multicultural dimension that he has brought to the organization. We also appreciate his understanding and, more importantly, his willingness to understand what states want. With that he convinced many states of participating in the multistakeholder model.

The fact that he is a businessman who managed -- and is managing ICANN effectively also with a political sensitivity. The fact that he is an outsider, to a certain extent, and the fact that he has told us over the last few days that he didn't want to finish his career at ICANN, I think that that message is quite interesting. But, of course, if nobody shares this analysis, I can do it on my own. Or, if there is no time, I can do this during the cocktail. Thank you.

IRAN: Thank you. My friend is from the minister of foreign affairs. He knows how to take or raise the question diplomatically. Not to give the impression that that is a coordinated question by GAC. The views could take it individually, could take it by personal view, by the government view of one country, and so on and so forth. I think he could formulate his question in a way that covers the point raised. Thank you.

CHAIR SCHNEIDER: Thank you. So maybe we won't have as an official issue on the agenda, but you may just take the floor and say it. What about this? Okay.

Yes, Argentina.

ARGENTINA: Thank you, Chair. I think that the questions raised that France could raise could be also shared by other countries. So maybe you could present it as a position from your country and perhaps others like Argentina. Okay?

CHAIR SCHNEIDER: Thank you. Any other comments on the agenda on a particular item or in general? If not, then I would suggest that we are done. For now. And would like to inform you that we have an exchange, a cocktail with the Board at 6:30 somewhere in this house. I forget where. But we will be finding where this is. Where? Libertador. Oh, that's in the

big room. And then in the evening there's -- the invitation by Argentina not far from here.

ARGENTINA:

Thank you, Chair. Unfortunately, I will not go to the cocktail with the Board because I have to go earlier to the Palacio San Martin. I will be in the lobby of the Sheraton. If someone wants to join me and my colleague (saying name,) we will walk there. It's three blocks away from here. Or you can go. I'll send you the map. It's quite close, and it's a big building. You cannot miss it.

So, if someone wants to join us, we will be quarter to 7:00 there. Thank you. You can be a little late. That's not a problem. Many sent emails to me asking if they can be 7:30. That's fine. No problem. But I have to be early. Thank you.

CHAIR SCHNEIDER:

Thank you for this information. And it is really just up the hill a few hours' walk. So you will easily find it. Before -- before ending, we have to conclude with another very important item, which Tracey will inform you about. Thank you, Tracey.

TRACEY HIND:

Hi. I don't want to keep you from your cocktails and drinks. But you will recall that on Saturday morning and Sunday morning, we encouraged people to sign on to the rush of the fire extinguishers by

way of a door prize. That's to give us the best possible information we can get on attendance for our records.

We've got lots and lots of names in the drawer. I have the lovely Argentinian mate. Is that how you say it, Olga? Mate here. I'm reliably informed it's made of a small pumpkin. It's a pumpkin base, and you use it to put green tea in. There's instructions how to do this in the pack and a straw.

So I'm going to give it to our chair to draw out the winning name. Tom can.

CHAIR SCHNEIDER: What if I pick Switzerland? Would you then think that I'm cheating? I would actually rather have you, Tom, as a neutral party to blindly pick somebody.

ARGENTINA: I will bring some chimarrao from home. It's not green tea. It's chimarrao mate. It's different stuff.

CHAIR SCHNEIDER: And the winner is?

TOM DALE: The winner is Christian Singer from Austria.

[Applause]

CHAIR SCHNEIDER: If you want to have a speech, you can do so. Otherwise, we would end today's meeting with this very nice gesture from our secretariat. Thank you all for working in a continued constructive way. And see you later at the Board cocktail at the nice invitation from Argentina. Thank you very much.

[END OF TRANSCRIPTION]