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MARRAKECH – GAC Communique Drafting Session  
Wednesday, March 09, 2016 – 14:30 to 18:00 WET  
ICANN55 | Marrakech, Morocco

CHAIR SCHNEIDER: For your information, the communique is being printed. It will be ready any minute -- actually, it's be distributed. It's printed. It's being distributed.

All right. So you should have the first draft or second draft or whatever -- yes, the second draft in front of you. And we hope there's not that much in terms of substance to be negotiated. We hope that we can do this fairly quickly, but of course you will tell us when you're happy with the text.

I understood board recall, Olof, not ordering call.

[Laughter]

UNKNOWN SPEAKER: That's good as well.

CHAIR SCHNEIDER: Yeah. Now, wait a second. Actually, there's a question about leaving the door open or closing it. We used to have the doors

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closed for the communique drafting, but I think after the experience of last night, if you don't mind, we can leave it open.

I see most people nodding.

Kavouss?

KAVOUSS ARASTEH: Open. It must be open. It should be open. The world is open.

[Applause]

CHAIR SCHNEIDER: We take that as full consensus with no objection, so the door will remain open. Okay. Thank you very much.

And our dear friend Tom will, as it has become a tradition, read through the text and ask for your comments in this first reading.

Thank you, Tom, for doing that. Thank you.

TOM DALE: Thank you, Thomas. Good afternoon. Welcome to another GAC communique drafting session.

I'm waiting for offers to provide services to an audio book company after this reading experience, but this of course is a work of nonfiction.

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The draft communique, Thomas has asked me to do a quick read through of the entire document. So let me start now.

The document follows the GAC's usual format for communiques. But for those who have not been to a GAC meeting before, there is a certain logic to this. Believe me.

The introduction reads, "The Governmental Advisory Committee, GAC, of the Internet Corporation for Assigned Names and Numbers, ICANN, met in Marrakech during the week of 5 March 2016."

We will then include the number of GAC members who attended the meeting and the number of observers.

"The GAC expresses warm thanks to the local hosts for their support."

Under "High-level governmental meeting," we have the following wording: "The GAC expressed its sincere appreciation to the Kingdom of Morocco for hosting the high-level governmental meeting on 7 March 2016. The meeting enabled ministers and senior officials to assist the transition of the IANA stewardship function from the U.S. Government to a community-based arrangement, including greater accountability of ICANN, reaffirm the importance of governance as part of the ICANN community, including through the GAC and

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identify opportunities for developing countries in the domain name system.

"The chair of the meeting, His Excellency Moulay Hafid Elalamy, Minister of Industry, Trade, Investment, and Digital Economy, made a chair summary and informed the GAC that he will subsequently submit his report under his own responsibility.

"ICANN CEO. The GAC expressed its sincere appreciation of the service rendered to the ICANN community by outgoing ICANN CEO Fadi Chehade and wishes him well in his "future endeavors.

So that's the introduction. Are there any questions, Thomas?

CHAIR SCHNEIDER: Yeah, any comments or questions on that introductory part? Iran?

IRAN: Yes. In the high-level meeting we just referred to the top-level domain, Kingdom of Morocco. We go to the second-level domain and also second level, appreciate the ministry, who also is real responsible. Could you add the ministry after the Kingdom of Morocco and so on so forth.

Thank you.

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CHAIR SCHNEIDER: Thank you. I was actually thinking about that too. I think we could include -- thank not just to the kingdom but to the minister himself in the second line.

And you can take the formulation from below and then --

TOM DALE: And the ministry, and the ministry.

CHAIR SCHNEIDER: I think that's agreed, right?

Is Canada -- is your suggestion on something else? Okay. Thank you. Please go ahead.

CANADA: Thank you very much, Mr. Chairman. Our suggestion was on the section pertaining to the ICANN CEO. In addition to wishing the outgoing CEO well, we would also propose taking the opportunity to welcome incoming CEO and express, you know, wishes to look forward to working together, or something to that effect, to make that section a bit more proportionate.

Thank you very much.

CHAIR SCHNEIDER: Okay. Thank you.

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Further comments, Netherlands and Spain?

NETHERLANDS:

Thank you, Chair.

Coming back to the first part about the high level, I'm a little bit troubled about what's going -- what's meant with "identify opportunities in the domain name system."

Isn't it much more identify opportunities for developing countries to be involved? It seems like "opportunities in the system" is for me a little bit awkward.

Thank you.

CHAIR SCHNEIDER:

Well, I think we should not spend too much time. Actually, what is missing here is the reference, if we want to be inclusive to the discussion on new gTLDs, and it was about basically what ICANN can do to support developing countries in -- in its -- within its mandate.

But I think we'll go back to the -- by the next reading, we'll go back to the title of the sessions and make sure that they are in line with what the -- with the text here -- the other way around, the text here is in line with the titles of the session.

Thank you.

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Spain?

SPAIN: First, a minor question. Fadi Chehade, the incoming CEO, they also president of ICANN, aren't they? President and CEO?

UNKNOWN SPEAKER: Yes.

SPAIN: And, secondly, could we warmly welcome the new CEO?

Thank you.

CHAIR SCHNEIDER: I think we can. Thank you, yeah. If there's no objection to this.

Okay, Iran.

IRAN: Yes. In fact, the addition of the new CEO we wanted also to do that. And a little bit more than that, express wishes for a new -- be a little bit more warm in respect to be welcoming the new president and CEO. Thank you. Could be expanded. Thank you

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CHAIR SCHNEIDER: Thank you.

Sweden?

SWEDEN: Thank you. One observation. I'm wondering if we better call him incoming president and CEO rather than "new" since he hasn't formally began yet. He was here on his vacation.

CHAIR SCHNEIDER: Thank you very much. Further comments on that introductory part?

Pakistan.

PAKISTAN: CEO is also I think the president. We keep the balance. Like in the old we write president and CEO.

CHAIR SCHNEIDER: Thank you, Pakistan.

Other? Yes, Spain.

SPAIN: Sorry, stupid detail. Both are Misters, I guess.



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CHAIR SCHNEIDER: We will check. Yes, we will go and make sure.  
Ireland.

IRELAND: Thank you, Mr. Chair. I don't claim to be a natural authority on the queen's English, but I would just wonder, is it in appreciation of or in appreciation for the service.

CHAIR SCHNEIDER: I'm not the right person to answer that question, but I'm happy if we have other majesty's service. Mark.  
Is it appreciation of or appreciation for?  
Or New Zealand, maybe. Do you have a view on that.

NEW ZEALAND: Well, as a country that also has a queen as head of state, I would suggest it's "for."  
Thank you.

CHAIR SCHNEIDER: No objection from the -- No. Okay.

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I'm wondering what is stronger, sincere appreciation or deep appreciation? And maybe --

UNKNOWN SPEAKER: (Off microphone).

CHAIR SCHNEIDER: Both are the same says Iran. Okay. So it's like this.

All right. Any more additions, comments, changes, questions?

No. All right. That is the introductory part.

So, Tom, you may move to the next level.

TOM DALE: Thank you. The next section covers interconstituency activities and community engagement, which is effectively who the GAC met with or talked to.

The first section deals with the meeting which occurred this morning with the ICANN Board, and we have followed here the previous practice of simply including the topics raised.

So it reads: The GAC met with the ICANN Board and discussed the following issues: ICANN CEO selection process, timing of work and general workload across the community, board intentions for the first B meeting, ICANN and the global public

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interest, privacy and proxy services PDP, future gTLD rounds - timing, and Board-GAC exchange on gTLD safeguards.

CHAIR SCHNEIDER: Questions? Comments?

If not, then that is not revolutionary. It was the agenda we had on the screen. I think you may move on.

TOM DALE: Next section deals with the GAC's meeting with the GNSO, which you'll recall occurred on Sunday. It reads: The GAC met with GNSO Council members and reviewed the work of the GAC-GNSO Consultation Group, including reports on the GNSO Council liaison to the GAC, and opportunities for GAC early stage engagement in policy development processes, PDPs.

There was an exchange of views on the final proposal from the CCWG Accountability, including differences between the ways in which GAC and GNSO develop their input to ICANN processes.

It was agreed that the new format of the ICANN B meeting provides an opportunity for more substantive GAC-GNSO discussions, and this will be considered for the meeting in June 2016.

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In response to members' concerns, the GNSO noted that GAC input to the PDP on privacy and proxy services accreditation issues had been given due consideration, but there had not been consensus support for their inclusion in the final report.

Consistent with previous advice to the ICANN Board, the GAC hopes that permanent protection of Red Cross, Red Crescent, and Red Crystal designations and names will be implemented as soon as possible. The GAC welcomes, therefore, the current discussions involving the GNSO and ICANN staff in order to resolve the differences between GNSO policy recommendations and the GAC's advice in this matter.

CHAIR SCHNEIDER: Questions or comments?

New Zealand.

NEW ZEALAND: Thank you, Chair.

We can either provide suggestions now or perhaps during the break for the next round, but to the last part on Red Cross/Red Crescent, we just note that this language is consistent with advice to the Board, and perhaps we can phrase it consistently

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with the above text with "noting" and the like so it isn't confused with advice to the Board?

Thank you.

CHAIR SCHNEIDER:

We can do that but I think it's -- my point, it's not in this section as advice. So nobody will take it as advice. Although, of course, as you are right, the way it's worded, it looks a little bit like an expectation. But since it's not declared as advice, it's not advice. It's just an expression of what was discussed.

But if you wanted to undergo the exercise to change the wording or if you have another wording, then of course that can be done.

Thank you.

Iran.

IRAN:

Thank you, Chairman. Just a small addition in the paragraph dealing with the CCWG. Perhaps we should put "supplemental final proposal." The name "supplemental final proposal."

And then the part of the thing that "including differences between." I suggest we delete that. "Differences including ways and means by which GAC and GNSO develop the intellectual property to the ICANN Board," not "ICANN process." So delete

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the portion of "differences between." "Including" is okay. No, that's okay.

"Including ways and means in which GAC," you have that one. Please delete "differences between the ways." Including ways. Maybe add ways and means by which or in which they develop their proposals to the submission to the ICANN Board, but not to the ICANN process.

Thank you.

CHAIR SCHNEIDER:

Thank you, Iran. I think that is fine.

Other comments.

Thank you.

Further comments?

Pakistan.

PAKISTAN:

In the last paragraph we write, "Consistent with the previous advice to the ICANN Board, the GAC hopes that permanent protection of Red Cross, Red Crescent and Red Crystal designations. We only focus on these specific names. Can we write in general that this is IGOs, including this?"

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CHAIR SCHNEIDER: I'm not sure whether the IGOs were explicitly mentioned. So I remember that the Red Cross was mentioned. But, yes, U.K., please.

UNITED KINGDOM: Yes, thank you, Pakistan. Just to clarify, this is a follow-up to my raising specifically the Red Cross issue with the GNSO and then discussions ensued involving you yourself, Chair, with the GNSO. So it's -- I'm afraid the IGO issue wasn't actually discussed at that point, and it's a kind of separate track, if you like, anyway.

Thank you.

CHAIR SCHNEIDER: And, actually, we didn't take the effort to mention it. There was an informal meeting with the Red Cross, myself, ICANN staff, and James and a few other people from the GNSO to particularly discuss how to accelerate the move on this one. But I think that would go too much into detail if we would mention that, too.

Yes, thank you, Kavouss.

IRAN: Yes, the first line of the last paragraph, I suggest you replace "hopes" by "expects that." It is more than hope.

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Thank you.

CHAIR SCHNEIDER: Mark.

UNITED KINGDOM: Yes. I believe New Zealand suggested an alternative, "anticipates." But we can work this out.

"More than anticipation." Okay. Perhaps we can resolve this offline.

CHAIR SCHNEIDER: We can also say to make it descriptive, the GAC expressed its expectation, blah, blah, blah.

But let's deal with this when we come to the next reading.

We note that there needs a little bit of tweaking.

Can we go to the next thing? Yes, thank you, Tom.

TOM DALE: Thank you. The next section dealings with the GAC's meeting with the At-Large Advisory Committee, ALAC.

The GAC met with members of the At-Large Advisory Committee and discussed: Respective processes for responding to the final



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report of the CCWG Accountability; gTLD safeguards, the GAC expressed support for a possible ALAC-GNSO review of problematic strings and PICs; future gTLD rounds, the GAC and ALAC agreed that appropriate review and analysis of the current gTLD round should occur before policy development for future rounds advances substantially; enhanced GAC-ALAC cooperation, the possibility of mutual liaisons and engagement at the local level will be considered.

CHAIR SCHNEIDER: Thank you.

Questions? United States.

UNITED STATES: Thank you, Chair.

Perhaps a small amendment to the second bullet on gTLD safeguards. It is my recollection that there was a useful exchange about this potential ALAC-GNSO review, and I recall, our colleague from the EU Commission expressed support for that in the meeting with the ALAC and with the Board. However, I would like to suggest that we may say, "Some GAC members," only because the concept is a very interesting concept, and it seems like a very logical, legitimate thing to do, but we subsequently discussed the fact that there are already ongoing

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reviews. And, therefore, this reads as though we are endorsing a separate activity. And in light of the number of different work streams we already have, we're very hesitant to sort of indicate that we've supported. I'm mindful my notes indicate that ALAC was actually seeking GAC participation. So that would be yet another Work Stream.

So, frankly, I'm very hesitant here, and I just wonder if either -- I'm happy to defer to colleagues who do feel strongly this is the right thing to do, but I do think -- I had thought that our goal was to integrate whatever this analysis might be would be integrated into the current reviews.

So just some hesitation there. I will defer to the EU Commission, if you would like, we could consider how to modify it, perhaps, in the break.

Thank you.

CHAIR SCHNEIDER: Commission -- So what would be your proposal for formulation?

UNITED STATES: My initial take, just to make life simpler, was to say "some members." But we try to avoid that if we don't have to. So there may be another formulation, if you would permit Christina and I

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some time. In the next round, we'll just think through how to best characterize that.

Thank you.

CHAIR SCHNEIDER: Maybe instead of saying "some," instead of "express support", expressed interest in knowing more about," or something like that. But instead of saying "some" and implying that others did object or whatever. So if we can avoid that formulation and make it more open-ended.

Yes, Kavouss.

IRAN: Yes, Chairman, fully agree with you. I told you three other GAC meeting we should avoid in communique having any division some and some. We should try to find some other language which not so explicitly show any apparent division, people want to put so. Some and some. It is not good for the communique. It is output agreed by everybody.

CHAIR SCHNEIDER: Thank you. We'll look into this and find a way to express it differently.

Other comments on this part?

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Yes, Iran.

IRAN: Yes, last word. I suggest we replace "considered." Will be explored. It's not consideration. It's more than consideration.

CHAIR SCHNEIDER: I think we can accept that. So "will be explored."

U.S.?

UNITED STATES: Mr. Chairman, if you would go ahead and insert your proposed alternative, we may well be there on the second bullet. "expressed interest." Thank you.

CHAIR SCHNEIDER: Okay. If that makes it, then I'm happy to have that.

Hungary?

HUNGARY: Just a minor thing. In bullet point one we are referring to final report of the CCWG. Previously we referred to it as a final proposal. Supplemental proposal.

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IRAN: Supplemental final proposal.

Thank you.

CHAIR SCHNEIDER: Thank you. Is that it for this section? I don't see any more -- ah, Pakistan.

PAKISTAN: During the meeting with the ICANN board and the high-level meeting, I had added the main issue in the developing countries regarding the ICANN outreach, about the new gTLD code. And can we add some words that ICANN maybe can see the ICANN outreach for the new GT round -- for the next gTLD round?

CHAIR SCHNEIDER: You mean -- it was a little bit difficult to hear. You're talking about the meeting with the board?

PAKISTAN: Yeah. On high-level meeting and the ICANN board meeting, I request that the ICANN may -- may introduce awareness programs in the developing countries for the new gTLD programs. If we write some word that --

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CHAIR SCHNEIDER: Well, the thing is that we may change that practice, but so far we -- actually, it's a good question because we just named the bullet points, and with the others we are more substantial. But we only have the bullet points of the agenda items. So it would be a little bit difficult to add specific text about this one issue there, but maybe we can give it a place somewhere. Maybe we can use that when we talk about the future rounds that we introduce in our advice, something that the GAC urges the board to make sure that -- and so on and so forth, because this was raised several times, also in the high-level governmental meeting, as you're right. So maybe we can give it a thought and actually turn it into an advice -- in the advice section on new -- on the future rounds when --

PAKISTAN: I think he would mentioned it in the meeting, ALAC, you gave the bullet point future gTLD rounds. Can we mention it?

CHAIR SCHNEIDER: Sorry. I have problems in hearing. Can you take the microphone closer. Thank you very much.

PAKISTAN: There is a bullet with the meeting with the ALAC, and in the ALAC we mentioned future gTLD rounds. Can we add here?

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CHAIR SCHNEIDER: I think it wasn't raised in the ALAC meeting, but let's see that we can -- we can raise it in the advice section. That makes it stronger, and I think we have an agreement that we want to support that issue.

PAKISTAN: Okay.

CHAIR SCHNEIDER: So let's give it a try. And when we go through the advice in future gTLD rounds that we make a reference to us -- to this issue there, if it's okay with you.

PAKISTAN: Thank you.

CHAIR SCHNEIDER: Thank you.

So we move to the internal matters section.

IRAN: Thank you.

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TOM DALE: Thank you. The first item in the internal matters section concerns new members. It reads, "The GAC welcome Burundi, Cambodia, Haiti, Palestine, Republic of Palau, and Chad as new members and the West African Telecommunications Regulators as Assembly as a new observer." This brings the number of GAC members to 162 and the number of observers to 35.

The section dealing with GAC working groups is fairly brief. It simply notes the existence of the groups and some procedural developments. It reads, "The GAC continues to pursue specific areas of work through its working groups, which cover the following areas: Protection of geographic names in future rounds of new gTLDs, public safety, underserved regions. The Cook Islands was appointed as co-chair of this group. GAC participation in the ICANN nominating committee, NomCom, in terms of reference were adopted. Human rights and international law in terms of reference were adopted. Review of GAC operating principles."

CHAIR SCHNEIDER: Thank you. Any comments on this, on this part?

Yes, Olga, please.



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ARGENTINA: Thank you, Chair. Just a brief question. We usually include a short description of what the working group did after the -- its name. We are not doing that in this communique?

CHAIR SCHNEIDER: Well, nobody has asked for this, and nobody has provided us, at least to my knowledge, with any language. And given the other work that we had and that we didn't have -- Mark did, okay.

UNITED KINGDOM: Yeah, I did, actually. But I understand you wanted to change the editing to only immediate outcome or something, is that right? The sort of protocol for this.

Thank you.

CHAIR SCHNEIDER: In the end it's up to the GAC to decide how much it wants to have reflected. Apparently you sent it in when we already had prepared the draft.

But we're in your hands. If you want to include a few lines on every -- more on every working group, that can be done. It's up to the GAC, and those who would be the ones who would need to deliver these lines until the next reading.

Iran.

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IRAN: Thank you, Chairman. We could put -- for every group, we could have a general sentence for all groups at the end, but not for every group, because it may take some time. I mean, because there is no text ready.

Thank you.

CHAIR SCHNEIDER: Thank you.

I think it -- I mean, to put something -- what we're doing now is we were reporting on decisions, like whether chair or co-chair was nominated or something was adopted or a document was adopted, like a decisional protocol, in the sense and the rest.

But, yes, Canada?

CANADA: Thank you very much, Mr. Chairman.

Just more of a question, really, on the working group. On the NomCom, I believe the working group space on the GAC website calls it examination of GAC participation in the NomCom, so we just propose to add the word "examination" there.

Thank you.

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CHAIR SCHNEIDER: Thank you.

How important is this, that we -- because we know where we are, and I think -- I guess given the work that we've done, I think we can live with keeping this internal.

But of course, Olga -- Argentina and then --

ARGENTINA: Just my comment was in with relation with previous communiques, that we added, like, two or three lines describing the activity of the working group. So maybe others are expecting the same level of details.

Thank you.

CHAIR SCHNEIDER: Thank you.

I mean, as I said, if you want to -- let's do it that way. Those who want, they can for the next reading start drafting now, send us a text, two, three lines, and then we'll include it. I think the longer we discuss this during this time, we'll actually have read the text.

But not more than two, three lines, ideally. Okay?

All right. Thank you. Can we move on to the next part?

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Thank you, Tom.

TOM DALE:

Thanks, Thomas.

The next section deals with the independent GAC secretariat. It reads as follows: "The GAC expressed its appreciation of the outstanding service and support provided by its hybrid secretariat model, consisting of ICANN GAC support staff and the independent ACIG GAC secretariat. The enhanced secretariat support has increased and improved GAC's ability to provide advice to the board and to work more effectively with other members of the ICANN community."

Excuse me. Obsessively, correcting a typo as I go along.

"The GAC wholeheartedly thanked members Brazil, Norway, and the Netherlands for their generosity in providing funds to support delivery of services by the independent ACIG GAC secretariat and discussed how to best ensure the financial sustainability of the donor funding model.

"Peru, the European Commission, and Switzerland each announced that they will make financial contributions in the future for which the GAC is very grateful.

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"Other GAC members are also considering becoming donors to ensure that the high quality of independent secretariat services currently received by the GAC is maintained and, if necessary, can be expanded."

CHAIR SCHNEIDER: Thank you.

U.K.?

UNITED KINGDOM: Thanks. I mean, this is very valuable statements, but I just observe, you know, that there's half a page of text on the secretariat. And three -- one, two, three, four -- five words on human rights and international law. I think, it's getting a bit out of balance. I mean, if I -- what I've provided is three -- I think it's three very short paragraphs in terms of -- on regard human rights, international, in terms of reference work plan and joint meeting with -- just one sentence I think joint meeting with the cross-community working party. I mean, that could be an annex maybe but it just seems odd that, you know, the unbalance I'm describing is apparent here.

Thank you.

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CHAIR SCHNEIDER: Thank you. I mean, let's make it simple. You've already provided the text. We'll just put it in as it is in the working group space. And we take back the limitation two, three lines, if that's something you think is not appropriate. We can do that.

With regard to the secretariat, we felt that it's important to make that message clear. So it's -- we won't have so much text about the secretariat every time, but we are, I think, in a critical moment that people are aware and reminded that there's work to be done with regard to the sustainability of the funding.

Thank you, Iran.

IRAN: Yes, Chairman, I agree with you. It is not the issue of the balance. It's the issue to reflect the situation, and you have properly reflected that. Those who are giving, those who promised to give, and the need to further provide sustainability.

Sorry, I have no problem to add more text to the human rights, but I don't think that we should delete any part of that. So I suggest we retain as it is.

In fact, I wanted to add one more sentence saying, "and urging all other GAC members to take necessary action," and so on and so forth. But if you want to do that, but at least don't delete any

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part of this. But if you want to add anything human rights, you can add pages.

Thank you.

CHAIR SCHNEIDER: Thank you. European Commission.

EUROPEAN COMMISSION: Actually, I was just going to propose to delete just few words. Where you say, "The European Commission --" sorry, "Peru, the European Commission and Switzerland each announced that they will make financial contributions." I would delete "in the future."

CHAIR SCHNEIDER: Thank you, I was thinking about this, too. So -- But we don't have to discuss this. I think also if the current donors -- I was thinking whether we introduce the fact that you actually secured the funding for five years, but I think we shouldn't spend the whole GAC's time on this one. In case you would like to have a tweak on that, as long as it's factual, let's just do this for the next reading without spending time on this. So I'm happy to delete "in the future."

Okay. Can we move on to the next part?

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TOM DALE: Thank you, Thomas.

The next section is headed "Transition of U.S. Stewardship of IANA and Enhancing ICANN Accountability."

The wording there is identical to the wording adopted by the GAC last night as the GAC's response to the CCWG supplemental final report on Work Stream 1 recommendations.

Want me to read it? No, I won't read it at Thomas's request, but that is the wording that is the wording that was transmitted to the CCWG co-chairs immediately after the meeting and it's the text that the GAC agreed last night.

CHAIR SCHNEIDER: The only thing is we could put the actual text in quotation marks that it's clear what the actual text is.

IRAN: Quotation mark and italics.

(Off microphone).

CHAIR SCHNEIDER: Whatever. But to distinguish it from the rest of the text.



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So with that, I think we can -- we can move on to the other GAC discussions.

TOM DALE: The next session deals with "Other GAC Discussions." The first item there concerns the CCT review. It reads, "GAC members of the review team updated the GAC on the work of the competition, consumer trust, and consumer choice, or CCT, review. The GAC noted that a range of public-policy issues are within the scope of the review, including impact on consumer trust and the effectiveness of safeguards in that context, and competition and consumer choice aspects. GAC members were invited to submit their views either to the GAC members or at the CCT review public meeting and were reminded of the possibility to follow the work as observers.

CHAIR SCHNEIDER: Any questions on that part?

If that's not the case, let's move on to the next bit.

TOM DALE: Community applications. The GAC noted the response of the ICANN Board to advice in the GAC Dublin communique

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concerning community applications for new gTLDs and the community priority evaluation process.

The GAC will undertake data gathering and analysis on experiences with the current new gTLD round in this regard, and make appropriate contributions to the GNSO PDP on new gTLD subsequent procedures, and the competition, consumer trust, and consumer choice review, CCT.

CHAIR SCHNEIDER: Thank you. Any comments?

Spain.

SPAIN: I apologize, but my comment refers to the previous paragraph. It's very simple.

On the second-to-last line, there is a reference to a CCT review public meeting. It's in singular and it's "the meeting." Can we specify when this meeting take place or where?

CHAIR SCHNEIDER: To make that clear, I think we could just add "at ICANN 55," so it is clear that this was at this conference, if that helps to specify.

Okay? Thank you.

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Let's go to the two-character labels. Okay. All right.

TOM DALE:

The next section deals with the two-character labels at the second level. That's the session that the GAC has just had with ICANN staff. It reads: The GAC discussed with ICANN staff operational issues relating to implementation of GAC advice on two-character labels at the second level. Several suggestions for improvement were provided to ICANN.

CHAIR SCHNEIDER:

Thank you. So this is reporting about the meeting about an exchange that we had, but it's not under the advice section because we didn't give any new advice. So it was -- it's just to report that we had that discussion. This is why we proposed to put it under other issues.

Thank you.

Now let's go to the advice section of the text.

Yes, United States.

UNITED STATES:

Thank you, Chair. And my apologies for taking us back up to the issue just before on community applications. And my apologies

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to colleagues. My notes don't seem to capture this level of detail.

The sentence that says, "The GAC will undertake data gathering and analysis on experiences with the current round and make appropriate contributions to the new -- the GNSO PDP," again, I'm not entirely sure what we're hinting at. Is there going to be a new working group that will take this up? Or if somebody could just refresh my memory as to what it was we have committed to doing.

TOM DALE:

Thank you. That's a reference to try to capture an intervention made during that session by the U.K. who indicated that rather than form a working group -- yes, Mark, you -- you indicated you would be forming an informal group to gather information on experiences and make sure that was used in appropriate circumstances. But you specifically said it would not be a working group in that discussion.

It was an attempt to capture that, but it's over to you, of course, if it needs amendment.

Thank you.

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CHAIR SCHNEIDER: Go ahead, Mark.

UNITED KINGDOM: Yeah, sure. Thanks. This is with regard to community applications. Yes. There is no working group existing at the moment. We well catalogued in papers the kind of problems that have been experienced. We can continue that work while bringing in some, you know, additional material, data and so on, to strengthen our inputs into the community processes in preparation for the next round.

So that's the intention here.

Thank you.

CHAIR SCHNEIDER: Thank you. Is that okay for the U.S. or do you have further questions? Thank you.

UNITED STATES: Thank you, Chair, and thank you, Mark, for the clarification.

Perhaps just to consider for the next -- I don't feel that strongly about this, but I do think it's important to be sending signals that we will undertake something. So we may endeavor to do something or we think this is critically important.

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Again, no objection on my part. It's just we seem to be sending a signal, and I'm glad I asked the question because I wouldn't have known -- if I had been asked by my constituencies domestically, I would not have known how to answer a question as to what is it? Oh, the GAC is going to undertake data gathering.

Thank you for the clarification. Just to ponder further how this assertion is going to be interpreted.

CHAIR SCHNEIDER: Maybe why don't we say, "The GAC intends to undertake," to give it a little bit more space to see whatever happens. Is that okay?

U.K. said okay.

UNITED KINGDOM: Yeah, I'm happy with that. That's fine by me. Yes, thank you.

CHAIR SCHNEIDER: Thank you.

All right. Can we move on to the next -- to the advice to the Board part?

Thank you.

TOM DALE:

Thank you, Thomas. The first element of GAC advice to the Board concerns gTLD safeguards in the current round. You'll recall this was discussed on Saturday and also with the Board this morning.

It reads: The GAC noted the Board's response to recent and outstanding GAC advice on gTLD safeguards, comprising a resolution of the former New gTLD Program Committee of 18 October 2015, a resolution of the Board of 3 February 2016, and a letter of 19 February 2016 to the GAC chair.

Further work by the GAC will focus on ensuring that existing gTLD safeguards, including those based on previous GAC advice, are maintained and improved. The GAC supports work by GNSO and ALAC to review public interest commitments, PICs, for highly regulated strings including through a dedicated group, if possible, and will work through the range of processes considering future gTLD rounds to ensure public-policy considerations are taken into account.

With regard to process, the GAC notes that the Board acknowledges that the agreed process for consultations was not formally observed in this instance. Like the Board, the GAC looks forward to work on improving Board-GAC communications

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through the Board-GAC review implementation working group, BGRI.

CHAIR SCHNEIDER: Thank you, Tom.

Comments? Questions?

Iran.

IRAN: Thank you, Chairman. After this round of the CCWG Accountability, even it is not yet implemented, they expect a rationale for any advice we give to ICANN Board, and they expect clear, precise, nonambiguous text. Whatever we say, that there is something which has not been done, we should give reasons, we should give argument for that. So I suggest that we be paying more attention to the advice we give and go to that paragraph by paragraph and with very cautious methods.

Thank you.

CHAIR SCHNEIDER: Thank you.

United States.



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UNITED STATES: Thank you, Chair. I would like to actually concur with my colleague from Iran, if I have understood you properly.

In reading these three paragraphs, its hard to find what the GAC is advising the Board to do. And it strikes me that we could probably put that in as a report.

We certainly had the exchange during the GAC-Board meeting, and so I think the text accurately captures the nature of the issues discussed during that exchange, but it doesn't read as though there is any specific advice.

So I would recommend that we remove from this section. And then there should be one minor edit to be consistent with the earlier reference to the ALAC-GNSO and that is to replace the word "supports" and say "expressed interest." But I do think the whole section should be moved because there is no advice, per se.

CHAIR SCHNEIDER: Thank you.

First of all, I think -- I fully agree that we should try and give rationales. I think this time we can allow us a little bit nor flexibility because we did not really have too much time to discuss things and too much time to care about the formulation. And I don't think we want to spend too much time this afternoon

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as we're all probably quite tired. But we take very well note that from the next meeting on, we will take even more care.

With regards to what the U.S. has expressed, I think we can actually -- you're right, there's not a concrete formulation of an explicit advice. So our proposal would be that we just move it under other GAC discussions because otherwise it looks odd if you have only one bullet point that is very long with the Board, and we discussed it with several. So let's put it under "Other GAC Discussions," and that's it, if that's okay.

And with regard to support, "The GAC expressed interest in the work by." that's something -- let's see what the EU Commission is doing with this.

Thank you.

EUROPEAN COMMISSION: Thank you, Chair. I agree we could move this as it is not really GAC advice. But I was just wondering whether at least here we could indicate that the GAC encourages the work that is going to be done by GNSO and ALAC, and so at least "encourage" could be something, you know, providing a positive message. And if something good comes out of this, we should later on maybe welcome it. So I would propose to have "encourage" here.

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CHAIR SCHNEIDER: Can we put "encourage" as a compromise between express interest and support?

United States?

UNITED STATES: Thank you, Chair. I have no quibbles with that, except there may be expectations on the part of the ALAC, at a minimum, that by encouraging them we intend to contribute and participate. So if I recall, their specific point in alerting us to this possibility was to invite us to please join them. So that's my only hesitation, that we are not somehow inadvertently committing ourselves to undertake work that we may not be in a position to do. That's my only hesitation.

However, I think in the interest of time and collegiality, feel free to use whichever word. And then we'll have to revisit this issue when they come knocking on our door and ask us to please contribute.

Thank you.

CHAIR SCHNEIDER: Thank you. I'm sure the European Commission and others will participate in this effort. So -- yes, okay. Thank you. So we'll

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put the GAC encourages work, blah, blah, and we'll move the whole thing into the other GAC issues section.

Can we go on with that?

Okay, thank you.

Next chapter.

TOM DALE:

Next chapter in the book. The next piece of advice to the board deals with future gTLD -- future gTLD rounds public policy issues. "GAC members reviewed the public policy aspects of current work across the ICANN community that impacts on the policy framework for future rounds of new gTLDs. This work includes the PDP on subsequent procedures, the CCT review, the program implementation review, reviews of route stability and the trademark clearinghouse, and the development of metrics to assess TLD developments.

"The GAC recalls the ICANN-wide shared understanding that development of a policy framework for future new gTLD rounds should follow a logical sequence of the review of the current round and associated issues. So this can inform policy development through GNSO-based community processes.

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"The GAC notes with concern that current PDP scheduling may put this logical sequencing at risk, potentially leading to policy-development work that does not have access to the most up-to-date and comprehensive data and analysis.

"The GAC advises the board to ensure that a proper assessment of all relevant aspects of the new gTLD program is made, taking into account feedback from all stakeholders" ---

PAKISTAN: So the title is not correct, advice to the board. Thank you.

CHAIR SCHNEIDER: Thank you. So if there's no objection, we will move this to the other GAC -- GAC -- what does it say? -- other GAC discussions and just adopt the last two paragraphs accordingly.

All right? There's no objection? Let's do that.

Next part.

TOM DALE: Thank you.

The next part deals with privacy and proxy services, accreditation issues. It reads, "The GAC thanks the GNSO privacy and proxy service's accreditation issues, policy

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development process working group, for its significant effort in producing its final report, which contains many beneficial recommendations.

"The GAC submitted comments on the initial report reflecting public policy issues where attached -- which are attached at annex A.

"The GAC welcomes the request by the board in a letter dated February 19, 2016, to submit any public policy issues raised by the recommendations set forth in the final report.

"Consistent with the GAC's prior comments on the initial report and the 2007 GAC principles regarding gTLD WHOIS services, particularly principle three regarding assisting law enforcement authorities in investigations and principle six regarding contributing to user confidence in the Internet by helping users identify persons or entities responsible for content and services online, the GAC believes that the recommendations set forth in the final report raise certain public policy issues regarding consumer safety and trust.

"The GAC would therefore like to request more time to fully consider advice on these important public policy issues and requests that the board meet with the GAC prior to considering adoption of the privacy proxy services accreditation report. The

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ICANN 56 meeting would be an appropriate opportunity to consider these issues further."

CHAIR SCHNEIDER: Yes. Comments, please? Questions? Iran and the U.S.

IRAN: Chairman, last paragraph, the GAC would therefore like to request -- Request? Whom we request?

Thank you.

CHAIR SCHNEIDER: Good question. Probably from the board, request the board, right?

As, Alice, you're -- is that okay? Do we need to say from whom? Because we request something.

PAKISTAN: Are we requesting ourselves? We have to request more time or request the board. Whom we are talking about? A request from whom? What is the time limit that we want to be extended?

CHAIR SCHNEIDER: Thank you.

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Egypt?

EGYPT: No. I actually was not asking for the floor, but I was just wondering, it was -- the whole section is GAC advice to the board so if we're requesting, then -- but, yeah.

CHAIR SCHNEIDER: Then --

EGYPT: It's a good point.

CHAIR SCHNEIDER: The question is what is the advice in this part?

EGYPT: Yeah.

CHAIR SCHNEIDER: Olof?



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OLOF NORDLING: I just wanted to bring your attention back to previous discussions with the board, when we've used other verbs than "advice." And like "recommend" and "request," whatnot.

So I think it's good practice to say advises the board. The GAC advises the board.

CHAIR SCHNEIDER: To do what? To give us more time?

OLOF NORDLING: Yeah. To allow more time. Something like that.

But at least to keep the formula like we -- I think decided to do some time ago.

CHAIR SCHNEIDER: Thank you.

OLOF NORDLING: By using "advice." rather than any other verb.

CHAIR SCHNEIDER: Thank you.

Australia?

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AUSTRALIA: Thank you, Chair.

I think we could be quite clear if we just said, "The GAC advises the board that it requires more time to fully consider the advice and request the board." So. . .

CHAIR SCHNEIDER: But we can't advise the board that we need more time. So we can advise the board to extend the time or to wait until or something if we want to -- at least in my tired mind want to be logically coherent.

So what is the advice we are giving to the Board so that we get that clear?

Iran?

IRAN: Thank you, Chairman. Two term have very specific meaning in the bylaw, advice and recommends or recommendations. Here we could request the Board to extend the deadline, and so on, so on. So it is not advice. So the whole title is not advice to the Board. Maybe issues other than advice to the Board, or other issues, or other considerations. The whole title should be different, but if we request the Board to extent the time, it will

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give us more time. It's not not. It is a request. Advice has a specific meaning in the bylaw and specific treatment, and so on and so forth. Article XI, Section 2, and so on, so forth. We should be very, very careful after this very lengthy discussion of CCWG.

Thank you.

CHAIR SCHNEIDER: So what do we do with this? Either we turn it into an advice or we move it out like the rest.

I'm in your hands.

Yes, African Union Commission.

AFRICAN UNION COMMISSION: If you recall the discussion with the Board, they actually mentioned that they expected us to provide that advice in terms of request for extension of the deadline before they consider and approve the report. So perhaps it's just rephrasing it to say the GAC advises the Board to provide -- to extend the timeline until ICANN 56 before approving the final report.

CHAIR SCHNEIDER: Could you work on a reformulation so that we can feed it in in the next?

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AFRICAN UNION COMMISSION: Yes.

CHAIR SCHNEIDER: We just need to be clear what the advice is.

AFRICAN UNION COMMISSION: Yes.

CHAIR SCHNEIDER: And if there is one, we leave it here. If there is not, we have to move with the others.

United States.

UNITED STATES: Thank you, Chair. I think that sounds like we can probably get to the place where we need to be.

I did want to propose, however, that we also insert a qualifier "more time to consider possible advice." Because again, we haven't had the detailed discussions ourselves on the nature of all of the specific details of the final report. And I believe even the PSWG would probably concur. They are going to take time as a working group to analyze and then propose potential

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advice to the GAC as a whole, which we will review and either adopt or not.

So I'm suggesting that we hedge a little bit with "possible." And there was an earlier sentence, perhaps up above, the recommendations set forth in the final report may raise certain public-policy issues. Just so that we give ourselves maximum opportunity for assessment.

Thank you.

CHAIR SCHNEIDER: Thank you. Do the others agree with the formulation of the U.S.?

I see no -- Spain.

SPAIN: I do not object, but if the initial report raised public-policy concerns and they have not included all of our recommendation, it's likely that the final outcome could raise some issues.

But I don't know whether the suggestion by Alice is going to be taken on board. I do not object to put ourselves a limit, which is ICANN 56. One has to be very aware that if we put us a limit, we have to comply with it, and this issue may be complex.

Thank you.

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CHAIR SCHNEIDER: Thank you. Actually, I think Spain is right. We adopted recommendations to the GNSO because these are public-policy issues. Let's leave that part of the text as it is.

I would suggest to keep the "possible" because we haven't done it yet. So -- and that doesn't really change much.

So can we accept the text as it now stands without the "may"? Is that okay?

Iran.

IRAN: Yes, we can accept to that, but part of this text is not advice. So we have text which relates to the advice, text which does not relate to the advice.

Thank you.

I mean the whole paragraphs.

CHAIR SCHNEIDER: Where do we -- Can you help me? I don't really understand.

Are you saying we should move this whole section elsewhere like we did with the others?

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IRAN: If this meeting we have advice to the Board, under the advice to the Board from ICANN we could put this one and any other things.

The remaining part in this section is not advice. It should go elsewhere.

Thank you.

CHAIR SCHNEIDER: Where should it go?

IRAN: Either meeting with the Board or other consideration or other GAC considerations. We should have another title if it is not advice.

This isn't advice. It could be an advice. But the other part is not advice.

CHAIR SCHNEIDER: Yes, but I think this is getting -- We are starting to split hairs here to some extent.

If we, in the future -- What I would suggest on Thursday is we develop a system where we always have a title which is called

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"Rationale," we have a title which is called "Advice," and we may have another section that will be called "Follow-Up Action" or "Expected Follow-Up Action" or something like that that would follow the advice. And then I think we would have all of these three items linked together on the same substance under the "Advice" heading, because otherwise we would have five rationales first, five advices first, and five, maybe, possible follow-up actions. I think we should remain -- we should not be over formalistic and remain practical. So unless somebody really insists, I would be inclined to leave the text where it is and not split it into two sections where people don't really understand, because the one above is the rationale for the advice. So I think we should not separate the rationale from the advice; otherwise, I think it is actually not help for people to understand us. So if you don't mind, I would prefer to leave the advice where it is.

Any objections?

Netherlands.

NETHERLANDS:

Just a small intermezzo but we just heard next to the GNSO, also the ccNSO approved the CCWG report. So we are complete.

Thank you.



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[ Applause ]

CHAIR SCHNEIDER:

Thank you very much for that information.

What did they say about recommendation 11?

No.

[ Laughter ]

Can we leave the proxy privacy part with the modifications that we have it?

So there's one last bit remaining. Tom, please.

TOM DALE:

Thank you. The final section in advice to the Board is headed "work scheduling and workload management."

The GAC advises the Board that the GAC is concerned that there continues to be a high number of concurrent work programs across ICANN with significant workload implications for both the GAC and the wider community.

For example, existing reviews on the first round of new gTLDs and preparation for subsequent rounds and a wide range of work on WHOIS issues has continued without adjustment

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despite the high priority work generated by IANA stewardship transition process.

The GAC acknowledges the need to consider the different priorities each of the SOs and ACs. The GAC requests that the Board set clear expectations about the level of concurrent work that can occur in the community. The GAC recommends that the Board work with the SOs and ACs to establish a process for how cross-community work is scheduled. This process should include consideration of, one, how different community priorities are balanced, and, two, how this process can maximize community participation in policy development processes.

CHAIR SCHNEIDER:

Thank you.

Comments? Questions?

United States.

UNITED STATES:

Thank you, Chair. I think this is an excellent overture to the Board and I want to thank my colleague from New Zealand, Nicola, for having flagged it very, very directly in our exchange this morning.

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I just wonder if we might want to tweak did a little bit to actually make an explicit overture to ask the Board to facilitate an exchange during the upcoming B meeting where we're all supposed to meet intensely for those very few days that will permit the face-to-face exchange between all of the SOs and ACs as to what current priorities are per SO and AC, and to talk through to permit the Board. My sense is the Board may not be as aware as we might like to think, because they're juggling so many things themselves, they might not be as mindful of all of the different work streams.

So this, to me, would be an opportunity to invite them to facilitate an exchange because my impression has always been the Board is quite deferential to the community. But for an entity like the GAC, we are tracking all sorts of community initiatives, including some initiated by ICANN itself, meeting by ICANN staff.

So if we could request the facilitation of this exchange with a mapping. In some of you will recall, I think it was October 2014 in L.A., we explicitly asked ICANN staff for an overview and a map of the range of WHOIS issues. I can't recall the count, but it was maybe eight. And we asked them to please do a priority ranking. It, unfortunately, didn't happen.

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So I think if we can draw the Board into this it would help us sort of help them understand the breadth of the workload and maybe engage in some more concrete, practical exchanges as to how to hit pause buttons at different points.

Thank you.

CHAIR SCHNEIDER:

I don't think we have an objection so why don't you just make a formulation we can put in, because that, I think, would make sense.

Any other comments on this one?

Spain.

SPAIN:

I wonder whether we could not be a little more -- a little clearer here by asking the Board to take on, to prioritize work within ICANN.

I think this is what Denmark suggested in the end, and I think that's a good suggestion, and maybe it's not the first time we requested that.

Thank you.

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CHAIR SCHNEIDER: Thank you. Well, actually, I think there's an overlap between what the U.S. suggested and what you suggested. Maybe we invite the Board to facilitate a community discussion that would do the prioritization, because it's maybe not the Board alone that can do the prioritization, but actually it's the community who can. Through engaging with each other, it will emerge automatically what the priorities will be and then the work will be organized accordingly.

May I ask the U.S. to take that into account, or whoever is writing it, New Zealand, that you reflect what Spain has said? Is that okay for you?

Okay. Thank you very much.

Other comments?

If that is not the case, then --

PAKISTAN: Chair Thomas?

CHAIR SCHNEIDER: Yes, sorry. I didn't see you. Pakistan, please go ahead.

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PAKISTAN: We write there the GAC request that the Board set clear expectation.

We write "request"?

CHAIR SCHNEIDER: Could you repeat?

PAKISTAN: The GAC requests that the Board set clear expectations. The last paragraph we replace "request" with "advice."

CHAIR SCHNEIDER: So you need to stay closer to the microphone otherwise I simply can't hear.

PAKISTAN: The GAC requests that the Board set clear expectation. The "request" word is appropriate?

CHAIR SCHNEIDER: Well, basically, yes. This is under the heading, and it says -- it's under the heading "GAC advice," and then it says the GAC advises the Board.

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We could, of course, limit ourselves to only using advice, but I think, actually, we made it clear last time that when we say request or recommends, this is, of course, also advice. And "request" may actually be just a stronger expression of advice. So, actually, of course, -- I would not recommend that we only allow ourselves to use the word "advice" because we have different level of urgencies, or we could use "urges," for instance, as -- in an advice. So I have no problem with this, but of course it's up to you.

PAKISTAN:

If we write "The GAC stated that." Stated that.

CHAIR SCHNEIDER:

If we say "stated" then it's not a demand for an action. If we say we advise or we request or we recommend, then there's an expectation that the Board is doing something.

If we state, then it's that we have a view, but it's not necessarily understood by the Board that we expect them to act. At least that would be my understanding of the word "state."

Yes, Iran.

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IRAN: Yes, Chairman. I agree with you. Either we explicitly say we advise or we say invite or request, but not "stated" that.

Thank you.

CHAIR SCHNEIDER: Thank you.

Does that answer your question?

All right. Thank you.

Further questions or comments?

If that is not the case, with regard to the next meeting, any disagreement on the dates? Would you like to change the dates of the next meeting to July or to August?

August is great, isn't it?

We'll leave these dates -- Sorry?

UNITED KINGDOM: Can we change the year? We have a lot to recover --

CHAIR SCHNEIDER: Yeah. Let's make it 2014. We'll leave these dates as they are. In case we get the information that there will be an additional day, if that happens, it will be the Sunday before the meeting. That



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would then make it 26th, whether it's formal or informal. It's likely there will be an additional day, but let's leave the dates as they are. We will keep you informed, of course, if there is a change in the dates.

All right. So I think we are done with this reading, so let's -- all those who are forced to have promised to give bits and pieces, please send them to the GAC list as quickly as possible or to Tom and they will put it in the next version.

So let's have a short break. I don't know whether there is coffee left somewhere, and then we'll resume as soon as we have the next version printed.

Okay?

Thank you very much.

CHAIR SCHNEIDER: We ask whether it needs to be printed or if we can do it electronically without printing. Okay. Then that saves us some time.

[ Coffee break ]

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CHAIR SCHNEIDER:           Okay. Please sit down. We're going to go through the communique in the hope we'll be able to finalize it soon.

TOM DALE:                    Welcome back to the session. The Chair has asked me to start reading through this revised version. I'll do so paragraph by paragraph, as we did with the previous version.

So we -- sorry. Allow me to obsessively correct something on the way.

Okay. It reads, "The Governmental Advisory Committee, GAC, of the Internet Corporation for Assigned Names and Numbers met in Marrakech during the week of 5 March 2016." There's no change to that paragraph. There's no change to the paragraph concerning the number of attendees.

The paragraph concerning the high-level governmental meeting has been amended. It reads now, "The GAC expressed its sincere appreciation to the Kingdom of Morocco and to His Excellency, Moulay Hafid Elalamy, Minister of Industry, Trade, Investment, and Digital Economy, for hosting the high-level governmental meeting on 7 March 2016. The meeting enabled ministers and senior officials to assist the transition of the IANA stewardship function from the U.S. government to a community-based arrangement including gradual accountability of ICANN,

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reaffirmed the importance of governments as part of the ICANN community including through the GAC, and identify opportunities for developing countries in the domain name system."

I'll pause there, because there was some changes to that.

CHAIR SCHNEIDER: Any comments? If that's not the case, then let's move on.

TOM DALE: The next paragraph is unchanged.

The paragraph dealing with the ICANN CEO, or CEOs to be accurate, now reads, "The GAC expressed its sincere appreciation for the service rendered to the ICANN community by outgoing ICANN president and CEO, Mr. Fadi Chehade, and wishes him well in his future endeavours. The GAC also warmly welcomes the incoming ICANN president and CEO, Mr. Goran Marby."

CHAIR SCHNEIDER: Yes. U.K.

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UNITED KINGDOM: Just minor typo. You've got the Goran with the two dots. So for Chehade, you need the accents, just to be consistent. My eagle eye.

TOM DALE: Thank you. I'll continue.

The next section on meeting with the Board is unchanged.

The meeting with the GNSO had the sentence -- the paragraph concerning Red Cross and Red Crescent and Red Crystal amended. So I'll read that final paragraph out.

"The GAC noted the previous advice to the ICANN Board that permanent protection of Red Cross, Red Crescent, and Red Crystal designations and names should be implemented as soon as possible. The GAC expects, therefore, that the current discussions involving the GNSO and ICANN staff will resolve the differences between GNSO policy recommendations and the GAC's advice in this matter."

CHAIR SCHNEIDER: Any comments? If that's not the case, then we can move on.

TOM DALE: That one is going to change, isn't it?

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The final -- in relation to the section dealing in meeting with ALAC, the final bullet point was amended so that it reads, "Enhanced GAC-ALAC cooperation: The possibility of mutual liaisons and engagement at the local level will be explored."

CHAIR SCHNEIDER: United States.

UNITED STATES: My apologies, Chair. Just to perhaps a quite stupid level, what does "local level" mean? I'm not entirely sure I understand. Thank you. Bear with me. No edit, just clarification.

TOM DALE: Thank you. In the discussions with ALAC, they used that term to mean, essentially, at the national government level. It's more of an ALAC term of art. But they mean other than ICANN, basically. Thank you.

CHAIR SCHNEIDER: Should we say at national level so that it's clear? It's a detail. But, actually, I was also wondering what that was supposed to mean. Iran.

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IRAN: Could we delete "at the local level"? Will be explored. Not local level and any other level. Still the same question will be raised by others what is the local level. If I'm asked to my administration, I can't explain what the local level is. Thank you. Could you delete that? It doesn't add anything. At the local level. Collaboration, liaison will be explored.

CHAIR SCHNEIDER: Thank you. I mean, this is not the most important thing. But there were two elements to this. One is the establishment of mutual liaisons. And the other one was a proposal to liaise at, actually, national levels between the GAC representative of a country and the local at-large community, whatever it's called.

But I would just say -- let's say at the national level, and then we have the two elements. Because it's engagement at the national level and mutual liaisons. But I don't think that will -- it's not a fundamental issue. So, if you can live with that, let's move on. Thank you.

TOM DALE: The section dealing with new members was unchanged.

In relation to GAC working groups, as per the discussion, a number of additional inputs were provided by the leads of the working group. So we'll quickly go through those. First one is

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the protection of -- the working group on protection of geographic names in future rounds. And that reads now, "During the WG" or working group "meeting, the following activities were undertaken: Review of updated working plan and of new version of 'public interest' document; agreement to analyze, in relation to new gTLDs, cases of annexed regions, occupied territories, self declared states and failed states or without territories in new rounds of new gTLDs; agreement to open the email list to interested members of other SOs/ACs; and analysis of concerns expressed during the previous round of public comments."

These are provided by the chair of that working group, Olga Cavalli of Argentina.

CHAIR SCHNEIDER: Yes, Argentina. Then Russia, please.

ARGENTINA: Yes. Thank you. New gTLD this is two times. It's in relation to new gTLDs, and then it's repeated. So we should have one or the other one.

CHAIR SCHNEIDER: Okay. Which one would you like to see deleted?

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ARGENTINA: Whichever.

CHAIR SCHNEIDER: You decide.

ARGENTINA: Thomas speaks English. I don't.

CHAIR SCHNEIDER: Yes, Iran.

IRAN: Just a matter clarification for me. My ignorance. What is failed states?

CHAIR SCHNEIDER: I guess states that don't exist any more, like I don't know. Maybe Yugoslavia or things like that. But I don't know, because I wasn't there.

IRAN: Change the word "failed" for something else. But not failed. That means a state failed to be existed?



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OLGA CAVALLI: I would defer the answer to colleagues from Ukraine and Georgia that requested that to the working group. And we accepted it.

CHAIR SCHNEIDER: Should we follow the speaking order or -- let's follow the speaking order. Russia and then U.K. and then United States.

RUSSIA: Thank you. We would like to avoid the wording that connected with -- or related with -- I'm going to wait a little bit while everybody puts their headphones on.

We would like to ask to avoid the wording that are related that are outside the scope of ICANN. Because this is not up to ICANN or our GAC in ICANN to decide the questions that are formulated in this paragraph.

We consider that, of course, this is a very important question. It's a question that exists. But we're against that, first of all, giving some definitions of those territories. This is a question of the U.N. We know that in the general assembly of U.N., there is a competency to decide on this question. And until we haven't decided and we haven't clearly formulated this definition in the

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working group so that it sounds politically correct and so that it would be within the mandate of ICANN, I think that it's too early to use these words. And we would like to exclude them from the text.

CHAIR SCHNEIDER: United Kingdom.

UNITED KINGDOM: Thanks, yes. "Failed state" is an incorrect term. A failed state is one that's collapsed, so it's in chaos and economic collapse. So I think the intention here is states that have ceased to exist. That's a rather long term, but I don't think there's an adjective that actually shortens it. States that have no sovereignty. States that have ceased to exist.

CHAIR SCHNEIDER: Maybe this is, A, maybe going too much into detail, on the one hand. Can't we just find a formulation of something like the idea of states and territories under special circumstances, something like that that wouldn't be problematic and does not try to go into detail?

I would tend to agree with Russia. That is the not the purpose of this organization to discuss this. But let's follow the -- U.S.

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UNITED STATES:

Thank you, Chair. And, actually, just an observation to share and a suggestion. This reads like the minutes of a working group meeting, if you will and sort of a substitute for minutes. But we don't normally, I believe, put minutes of working group meetings in GAC communiques. Because the minutes have technically need to come to the GAC.

I mean, the working group has held a meeting, clearly, discussed these issues, apparently. But the totality of the working group hasn't yet agreed on the updated working plan or a new version of the document.

And that normally strikes me as, first, the working group has to agree formally; and then they have to report up to the GAC. So it just feels a little bit as though we've -- we're missing some steps here. We're going from a single working group meeting that had interesting discussions, but I'm not sure it could claim to come to conclusion. And, my apologies. I am a member of the working group, but I was not able to attend that particular meeting. It was at lunchtime, and I had a conflict.

But I feel like we're missing several steps. And I think this level of detail probably doesn't belong in a communique. So I think if it could be abbreviated just to indicate a meeting was held and discussions focused on an updated working plan and an

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updated version of a document, neither of which have been formally endorsed by the working group.

So this is a lot of extra information I think that might generate a lot of confusion. So I would suggest we really abbreviate this. Thank you.

CHAIR SCHNEIDER: Thank you. Ukraine.

UKRAINE: Thank you, colleagues, for your attention and feedback. I guess Thomas proposed how to make the sentence more shorter and precise. Thank you.

CHAIR SCHNEIDER: Thank you. There was a request from the floor from a lady in the back. I don't have your name. So, please.

MEXICO: Yes, I'm from Mexico.

CHAIR SCHNEIDER: Sorry. Thank you.

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MEXICO: Don't worry. Mexico speaking. Mexico agrees with the U.K. administration so as to not include the expression "failed state." Because failed state is used for the states that have failed a certain obligation, that are in the fall with their citizens. So it is not politically correct to accept this term. So we support the suggestion of the U.K.

CHAIR SCHNEIDER: Thank you. Paraguay.

PARAGUAY: Thank you, Mr. Chair. Would you please -- is there any way to make the text bigger for near-sighted people like me behind everybody? Thank you. That way we would be able to add some ideas. Thank you very much, Mr. Chair.

CHAIR SCHNEIDER: Russia.

RUSSIA: The Russian Federation would like to support the United States. It is true that within GAC we did not discuss this paragraph. This is something that was discussed at the working group's meeting. And so, therefore, this paragraph should be deleted from the communique. Thank you.

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CHAIR SCHNEIDER: Thank you. The thing is that it has been said before that -- I'm trying to get my computer to open up the Dublin communique to see what we had on that on the working groups.

Somebody said that normally was usual to put some information what had been done. But I don't have a strong view on this. But we need to have an agreement to what level we want to reflect what has been done in these working groups. I think it's -- here it's less a question of what the GAC did to this but, actually, what the working groups have done.

But we just need to have an agreement. I think we agreed that we don't want to go into details that we don't think is appropriate. But the fundamental question is to what level do we reflect the activities of the working group during that meeting? I think that's the question that we should focus on. Peru.

PERU: I am part of the working group, but I believe that this paragraph should not be included in the communique. It is true that some countries within the working group mentioned their interest to this cause or these topics, that since they have not been thoroughly discussed, I think that we should not take any

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position so as to decide on discussing on several issues that might lead to some discussion that are beyond the GAC's code. Thank you very much.

CHAIR SCHNEIDER: Paraguay and Iran.

PARAGUAY: Thank you, Mr. Chair.

I would like to support, you know, the statements made by the U.S., Russia, and Peru regarding, you know, discussing these kind of issues now, in the GAC. We should have discussed them before in any case. But I don't see why we should include that in the -- in the communique as well. I mean, that paragraph, specifically that paragraph.

Thank you.

CHAIR SCHNEIDER: Thank you. Actually, now my -- I opened -- I was able to open up the Dublin communique. And just to give you one example, the public safety group, it says the public safety working group had an open session that attracted over 80 participants. The open session discussed the range of issues, blah, blah, blah, it goes on for about ten lines. There are about eight lines on the

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underserved regions working group. There are two lines under NomCom.

So we used to report what was done, but it should be done in a way that it doesn't take too much time for here to discuss and it should be done that the -- the things that we think is -- is worth noting there and all the details that we think is not worthwhile are not there.

So can we find a way to compress this in a way that it's -- it reflects what has -- what the working group has been doing in a way that is acceptable to all?

New Zealand -- Iran and then New Zealand. Sorry.

IRAN:

Thank you, Chairman. Yes. Even at the working group, it is difficult that the working group decides or judges whether the territory or the state is failed or not failed. It is a very sensitive -- I suggest if you want to retain that, during the working group meeting, activities related to the view and updated working plan, new version of the public interest document were mentioned or indicated or highlighted. Full stop.

You want me to repeat that?



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CHAIR SCHNEIDER: Please repeat. Please repeat so that Tom can --

IRAN: Yes.

During the working group meeting, activities related to review of updated working plan or work plan -- perhaps it is work plan, not working plan -- or work plan, and the new -- take the sentence updating work plan, not working plan, work plan, and a new version of the public interest document were highlighted or indicated or discussed. And delete the rest.

It is very sensitive issues to have -- if you want to say in regard with the new gTLD, I have no difficulty. But delete everything about the states failed or not failed and so on and so forth.

CHAIR SCHNEIDER: Paraguay. Then Spain -- or New Zealand and then Spain, I think, and then Paraguay.

NEW ZEALAND: Yes. Thank you, Chair. Regarding the language that's been taken out, we support the removal of this language. Quite frankly, this language is something I would have to consult with capital on. It's a never sensitive matter for state, so I support moving it.

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When we look at the communique and how we deal with what's being done in the working groups, Dublin did have text, but I'd note in Buenos Aires we came up with a similar difficulty with agreeing on language and we opted not to provide specific meeting minutes in our communique.

Perhaps this is something for working on in the future, but the communique is to the public. And as the working groups are preliminary views of GAC, I would suggest that we go for the minimal amount so that we don't confuse the community as to what GAC information is and what working group information is.

Thank you.

CHAIR SCHNEIDER:

Thank you.

I think in case the text is not agreeable then we have to definitely shorten it to the extent that it's agreeable. And if nothing is agreeable, then I think we should leave it off. If the text is agreeable, we can leave it in.

So I have Paraguay and then Spain.

PARAGUAY:

Thank you, Mr. Chair.

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My distinguished colleague from Iran already mentioned what I wanted to mention. So just go ahead with Spain. Thank you.

CHAIR SCHNEIDER: Yeah, thank you.

Spain.

SPAIN: Thank you. We concur with our colleagues with Peru and the U.S. on these elements, and we support the removal of text.

Thank you.

CHAIR SCHNEIDER: So you support the deletion of the whole text? Okay.

Any objections to deleting that text? I think that seems to be --

UNKNOWN SPEAKER: The full text or to --

CHAIR SCHNEIDER: Do you mean the whole text or just -- Spain, what is your proposal? Delete the whole text or delete parts of it?

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SPAIN: We can live with it as it is. Thank you.

CHAIR SCHNEIDER: Sorry. I didn't understand. Could you repeat?

SPAIN: Sorry. We can live with it as it is right now. Thank you.

CHAIR SCHNEIDER: Okay. So you -- delete what we have deleted now. Okay.  
Can we go with this Swaziland?

SWAZILAND: Thank you, Chair.  
Mine is a general comment on work that has been done by working groups, because I believe when they are set up they're set up to do a certain task and they put a lot of effort into it. I think it is fair that they are given a chance to present whatever they worked on to the GAC and then for the GAC to accept or correct whatever they have done.

Not for it to be fast-tracked into the communique, because at this point we can see that these -- lots of details that weren't supposed to be there, but it is true that they put some effort into it but are not doing justice to them now, they start rejecting

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things that they have done and without us having discussed whatever they brought in there.

But I agree that it's not supposed to go into the communique.

Thank you.

CHAIR SCHNEIDER: So what is your suggestion in concrete terms to do with the text?

SWAZILAND: Yeah, I think it's to keep it general like that.

CHAIR SCHNEIDER: What do we do? Iran?

IRAN: Thank you, Chairman. We have no difficult with everything but the text as it is. It's totally neutral. What we say is in there. Activities related to the review of the office of work plan and new working of the public were discussed. It is a fact, and it is totally neutral. Agreement to open a new email list to members of so-and-so. It is the most harmless and neutral sentence to maintain.

Thank you.

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CHAIR SCHNEIDER:

Thank you.

I mean the wording is not -- because there's some fully  
outwritten text and others it's just -- can we agree on the  
substance and then formulate just -- make it a coherent proper  
English? Because the first half is now plain text, and the second  
one is just bits of plain -- or full sentences and the rest is not full  
sentences.

So we -- but is there anything in terms of substance in it that is  
problematic that -- I think we can all live with the substance as it  
is now. Okay?

So I think we trust the secretariat to turn this into coherent  
sentences and can move on. Okay?

All right. Thank you very much.

So that's done.

TOM DALE:

The next section deals with the public GAC public safety working  
group. This is text provided by one of the co-chairs of that  
group, Alice Munyua, from the African Union Commission. It  
reads, "The public safety working group continues to focus on  
public safety-related activities, including consumer protection,

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DNS, and IP address WHOIS accuracy, and outreach to ICANN stakeholder groups, among others.

"The PSWG has been engaging in several GNSO PDPs and ICANN reviews, including the privacy and proxy services accreditation issues; the next generation registration data services; Registry Agreement security framework, spec 11; and new gTLD competition consumer choice and consumer trust review.

"The PSWG held a joint workshop with the Number Resource Organization, NRO, to initiate discussions on enhancing better IP WHOIS accuracy.

"The PSWG and NRO will continue collaborating and discussing these issues. Future work areas may include safeguards for strings on highly regulated sectors, child exploitation, and enforcement of public interest commitments."

CHAIR SCHNEIDER: Thank you.  
  
Comments on this one?  
  
Yes, Argentina.

ARGENTINA: Thank you, Chair.

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I think it's a very good summary. It's -- I think it's remarkable and it should go to the communique. But all working groups should be treated equally. If this is kind of a -- activity of the working group, I don't understand why other working groups cannot be -- cannot have the same kind of detailed information in the communique, and I'm totally for having it in the communique.

Thank you.

CHAIR SCHNEIDER: Thank you.

So Ukraine?

UKRAINE: Thank you. Ukraine is also a member of this working group. And, unfortunately, because of work on different issues, I couldn't attend the meeting. So please focus and short the text on the first part; and, second, "search" should be deleted because it just looks like minutes, but not like a reflection of working group.

So delete the second -- the second insert part, please.

CHAIR SCHNEIDER: African union, do you want to comment on this, please?



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AFRICAN UNION COMMISSION: I agree the text is a bit long. So I'm in agreement with shortening it. For example, I would take out perhaps the future work areas that, you know, would go -- because it's part of the work plan anyway. So I would delete that.

And shortening it, yeah. So perhaps it can provide new text that's shorter and precise.

CHAIR SCHNEIDER: Thank you.

Can we do it now? Maybe cut out a few things that we think is a repetition.

U.S.?

UNITED STATES: Thank you, Chair.

I think this has been sort of an interesting exercise for all of us to realize that perhaps we haven't been very clear with ourselves sticking to work methods, and perhaps we haven't even properly discussed them.

But I think we might want to use this particular communique to perhaps only identify working group activities that somehow

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involve either sending something to the GAC that was accepted and endorsed, so that it's public. That's a formal communication to the community, then, that we've accepted something from a working group. If that, or a meeting with a member of the community. The NRO could certainly be classified as a participant in the broader ICANN community.

Otherwise, I suggest we keep working group activities to minutes, because, frankly, the broader GAC membership is interested in knowing what the working groups discussed, whether you are a participant or not. But we're not really conveying very much to the broader community if we can't even convey a GAC position.

So communique probably should be restricted to what we are - - what we want to share with the community from the broader GAC position. So I take Olga's point. We need to be consistent so that each working group either reports something that has been approved and endorsed and, therefore, is of interest to the broader community and keeps the minutes because if a working group met, it should be minuted, and we can track those activities.

So maybe this is a time when we can go ahead and start that now with very abbreviated -- so, you know, these working groups met and then the details of whatever it is the working

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group as a whole wishes to record, that can be recorded elsewhere. So a suggestion.

CHAIR SCHNEIDER: Yes, thank you.

The problem is, but I guess it's not the biggest problem that we had in the last few months, that we have no clear rules on how to report. As I look to the Dublin communique, they're fairly long with different lengths text. In other communiqués, there's no text.

So I don't think we'll have the time and the energy to develop the rules here, so let's try to take a pragmatical approach.

So I guess let's try to make sure these texts for the time being are not too long. And if we can just ask, Alice, your best to propose some shortages because you know which one is the priority things that you would like to communicate. We try to shorten it a little bit. Don't change the substance. Just shorten it a little bit and move on to the next. But take note that we'll have to deal with this like many other issues and clarify further our working methods because we want to avoid having these discussions at this stage in the future.

So let's move on, I guess, and Alice, you will make -- yes, Iran.

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IRAN: Thank you, Chairman. The text of communique should be a high-level text. I don't think we need to talk about the workshop, we need talk about these things.

The first paragraph, at least at this very late stage, that proposed by Ukraine to retain, just maintain one paragraph in a very high level and general.

If we ask our distinguished colleague Alice to prepare something and we come back again half an hour and review that, we don't have that time.

Let us ask her to see what is the main element, perhaps, in the first paragraph, so on, so forth, and then the remaining part should be deleted at this level that we are. But don't ask to come back and redrafting and redrafting again.

Thank you.

CHAIR SCHNEIDER: Thank you. I was actually thinking of giving her two to it five minutes to shorten it and come back in again. I was not thinking this would take a half an hour. But I have no strong feelings. I want to get this done, I think we all do, because we can discuss

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for an hour what is appropriate. We have no rules. So we just need to find a pragmatic approach.

So, Alice, what do you think?

AFRICAN UNION COMMISSION: I'm quite happy to actually shorten it to one paragraph and simply just mention some of the areas of work and the joint workshop with NRO. That's all. One paragraph.

CHAIR SCHNEIDER: So let's give her two minutes. She will shorten this into one paragraph, we will get it in five minutes and Tom will copy it in, and we hope that will solve the problem in the most efficient way.

Okay. Thank you.

Can we move on to the next working group?

TOM DALE: Thank you. This deals with the Working Group on Human Rights and International Law. This text was provided by one of the co-chairs, Mark Carvell from the United Kingdom.

It reads the HRILW met on 8 March the meeting agreed to submit the-of-to submit the terms of reference of the HRILWG which had

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been finalized intersessionally to the GAC plenary for approval. The GAC plenary endorsed the terms of reference on 9 March.

It was agreed that the co-chairs would invite comments and proposals for the HRILWG work plan by 18 April. Taking into account the responses to this consultation, the co-chairs intend to draft a work plan and issue this for comments by the end of April with the aim of initiating it in late May, early June. The meeting also received an update on CCWG Accountability recommendation 6 from CCWG chair Leon Sanchez.

The HRILWG also held a joint meeting with the cross-community working party on ICANN's corporate responsibility to respect human rights, CCWP HR on 8 March when information was exchanged on the progress of these initiatives.

CHAIR SCHNEIDER: Thank you. What do we do with this? Is this acceptable or do you also think it's too long? It contains a number of information about who met whom and there are some dates. What do we do? Your comments, please.

Yes, Ukraine.

UKRAINE: I think it is too long and just detailed minutes of working group.

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CHAIR SCHNEIDER: Okay. Let's ask Mark to shrink this down to let's say half of this length and send it back to us in five minutes.

Next one. That is probably not too long.

TOM DALE: The Underserved Regions Working Group reads the Cook Islands was appointed as a co-chair of this group.

Next one is the NomCom committee, more formally the examination of GAC participation in the ICANN Nominating Committee, NomCom. Terms of reference were adopted.

UNKNOWN SPEAKER: (Off microphone).

TOM DALE: By the GAC.

And finally review of GAC operating principles. This will be discussed on Thursday, 10 March.

CHAIR SCHNEIDER: I guess we are fine with these three. All right. Let's move on.

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TOM DALE: Sorry. There were some minor changes to this section. I'll read through it quickly.

Independent GAC secretariat. The GAC expressed its appreciation of the outstanding and support provided by its hybrid secretariat model, consisting of ICANN GAC support staff and the independent ACIG GAC secretariat.

The enhanced secretariat support has increased and improved GAC's ability to provide advice to the Board and to work more effectively with other members of the ICANN community.

The GAC wholeheartedly thanked members Brazil, Norway, and The Netherlands for their generosity in providing funds to support the delivery of services by the independent ACIG GAC secretariat and discussed how best to ensure the financial sustainability of the donor funding model.

Peru, the European Commission, and Switzerland each announced that they will make financial contributions, for which the GAC is very grateful.

Other GAC members are also considering becoming donors, to ensure that the high quality of independent secretariat services currently received by the GAC is maintained and, if necessary, can be expanded.



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CHAIR SCHNEIDER: Any questions? Comments? If that is not the case, then we move on to the next section.

Yes, thank you.

TOM DALE: Thank you. This section is unchanged. It is the GAC's agreed response to the CCWG Accountability supplemental final report.

Section on other GAC discussions. The wording on gTLD safeguards, current round, has been moved here at the request of the previous discussions that the GAC had. This was an advice to the Board. Now it is in "Other GAC Discussions."

Thank you. Thomas is pointing out in the second paragraph, which is now on the screen, the change, the main change from the -- to the text from the previous session reads, "The GAC," instead of supports, the GAC encourages work by the GNSO and ALAC to review public interest commitments.

CHAIR SCHNEIDER: Any comments, questions on this one?

If that's okay, let's continue to the next bit.

TOM DALE: That section was unchanged on CCT review.

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That section I believe was unchanged dealing with community applications.

That section is also unchanged dealing with two-character labels at the second level.

The section on GAC advice to the Board, we need to read through this again. I think there were a number of changes made.

Future gTLD rounds, public issues -- public-policy issues. GAC members reviewed the public-policy aspects of current work. Sorry, that first paragraph is unchanged.

That second paragraph should be read out again. The GAC recalls the ICANN-wide shared understanding of development of a policy framework for future new gTLD rounds should follow a logical sequence of review of the current round and associated issues so this can inform policy development through GNSO-based community processes.

The GAC notes with concern that current PDP scheduling may put this logical sequencing at risk, potentially leading to policy development work that does not have access to the most up-to-date and comprehensive data and analysis.

Okay. Keep going.

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I'll continue. The GAC therefore reiterates previous advice to the Board to ensure that a proper assessment of all relevant aspects of the new gTLD program is made, taking into account feedback from all stakeholders, and that development of future rounds is based on the conclusions of this assessment.

The next paragraph is new text. It was included following a request from Pakistan. It reads: The GAC advises the Board to give particular priority to awareness raising in and facilitating applications from underserved regions.

I'll go on. There are some changes to this paragraph. Having noted these concerns, GAC members will nevertheless make efforts to participate in open processes such as PDPs. The GAC with the support of its independent secretariat will strive to provide input to all relevant work on future gTLD policies at an early stage and relevant later stages. In view of the overall community workload, the GAC notes the importance of allowing sufficient time for appropriate engagement.

CHAIR SCHNEIDER:

So what we did was we were shortening the text and made a reference at the end that this is what we intend to do but we need sufficient time to engage. So those were the changes that we made.

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Any comments? Can we accept that part?

Okay. Thank you.

Next.

Trying to remember whether we made some changes in order to avoid reading everything through so the interpreters don't go crazy because it's too much text in too little seconds.

That's the part that was amended, is the final --

TOM DALE:

Yes. The paragraph here concerning the privacy and proxy services PDP working group report now reads, on the screen: The GAC advises the Board to extend the timeline for GAC consideration of possible advice on these important public-policy issues and requests that the Board meets with the GAC prior to considering adoption of the privacy proxy services accreditation report. The ICANN 56 meeting would be an appropriate opportunity to consider these issues further.

CHAIR SCHNEIDER:

All right. Is that okay?

Any objections?

If that's not the case, then let's -- Yeah, Spain.

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SPAIN: I don't remember that the Board has set deadline for us to issue advice. And we are requesting them to extend the timeline for GAC consideration.

CHAIR SCHNEIDER: Yes. I think this is the deadline for the public comment period which is not the same as for us.

So what do we do? Do we have to reformulate this and just say that we will provide advice? But then -- Alice, please help us here.

AFRICAN UNION COMMISSION: The deadline for the public comment period is 16th March.

The board has requested the GAC to provide advice on the final report but hasn't given us a deadline.

CHAIR SCHNEIDER: I should -- so you should advise the board to allow sufficient time for GAC consideration so we get rid of the time-line problem?

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AFRICAN UNION COMMISSION: Yes, yes.

CHAIR SCHNEIDER: Okay. To allow sufficient time -- and then hopefully we don't have to change -- for GAC consideration.

Does that work logically -- not logically -- linguistically? Sorry. Is that okay? Does that make sense, and is that coherent? I think it is, right?

Okay. Can we -- thank you, Spain, for raising this.

Is that okay? Okay. I see no objections.

Let's move on to the next one.

TOM DALE: Thank you. This is revised takes from New Zealand, the U.S., and Spain. It now reads, under work scheduling and workload management, "The GAC is concerned that there continues to be a high number of concurrent work programs across ICANN with significant workload implications for both the GAC and the wider community. For example, existing reviews on the first round of new gTLDs and preparation for subsequent rounds and a wide range of working on WHOIS issues has continued without adjustment, despite the high-priority work generated by the IANA stewardship transition process.

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"The GAC acknowledges the need to consider the different priorities of each of the SOs and ACs. The GAC asks the board to facilitate an exchange at ICANN 56 between all the SOs and ACs regarding how work requiring community input is scheduled and managed by the respective SO and AC communities, particularly for those issues of broad interest across the community as a whole.

"The GAC considers a joint SO/AC review, will permit the board to better assess the level of concurrent work the community can manage. This exchange should include consideration of: One, how different community priorities are balanced; and, two, how this process can maximize community participation in policy development processes."

CHAIR SCHNEIDER:

Thank you.

Just a comment. I think it's fine to delete the first paragraph that said "The GAC advises the board that," but then I would not say the GAC asks the board, but the GAC advises the board, in order to word the question whether -- if we ask the board, that is an advice or not, just to avoid that. It doesn't change anything on the substance. That would be my proposal.

If you go down, one more, here, advises the board to facilitate.

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TOM DALE:                    Okay.

CHAIR SCHNEIDER:        Is that okay? Did we accept this, Iran?

IRAN:                         Yes. No problem.

Can you go the paragraph before that, they talk of the IANA transition. What we are saying? Are we criticizing? What we are saying here?

CHAIR SCHNEIDER:        There were no changes in the previous paragraph. No. It's just a reflection to the workload created by the IANA transition. It's not a criticism. It's just a fact.

Okay. Can we accept that?

All right. And then that's it, essentially. So can we take this communique as agreed?

IRAN:                         The shortened text by --



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CHAIR SCHNEIDER: Yeah. The shortened text of the working group. Sorry, I forgot that.

IRAN: Please. Two, two shortened texts. Thank you.

CHAIR SCHNEIDER: Okay. Have you sent it to Tom?

Okay. Let's give him one minute.

Is it already in?

Let's give him one minute to copy/paste it in. Okay?

How could I forget this?

TOM DALE: Okay. So this is for the human rights and international law working group. It now reads, "Following endorsement by the GAC plenary terms of the HRILWG's terms of reference on 9 March, the HRILWG will develop a work plan by end April. An update on CCWG accountability recommendation six was provided by CCWG Cochair Leon Sanchez, and information exchange was held with the cross-community working party on ICANN's corporate and social responsibility to respect human rights.

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CHAIR SCHNEIDER: I think that's fairly short compared to what we had before, so I'm happy to accept this without further discussions.

I see people nodding.

Now, the next one. Henri? Let me --

NAMIBIA: Thank you, Mr. Chair. This also now -- it's now my privilege to assist the U.K. They left the language with us, so I'm going to also assist them, Namibia. I think now it's just the type -- another type of some addition, 9 March -- maybe it's 9 March 2020 or 9 March 2016 or something.

CHAIR SCHNEIDER: I think we can put it in, yes, to add the year, so that we're clear that it's this year.

Thank you, Henri. Okay.

Alice? Are you there? You sent it?

Okay, let's wait for Tom to put it in.

Alice, Tom cannot find your --

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TOM DALE: Please tell me which --

CHAIR SCHNEIDER: What is the -- just send it again. Yeah.

TOM DALE: Yeah, sorry.

CHAIR SCHNEIDER: Did you send it just to him or to the GAC list as well?

Ah, so he sent it to the GAC list. So I don't know maybe you get this in another folder.

TOM DALE: No.

CHAIR SCHNEIDER: No? Comes the same?

Is it short enough to read it out loud?

Okay. Let's do that.

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ALICE MUNYUA: So I reduced it to just the first paragraph. The Public Safety Working Group continues to focus and engage in various public safety related activities.

CHAIR SCHNEIDER: Slower, please. Slower, please.

ALICE MUNYUA: The Public Safety Working Group continues to focus and engage in various public safety related activities including consumer protection, DNS and IP address, WHOIS accuracy, outreach to ICANN stakeholder groups, among others. That's all.

CHAIR SCHNEIDER: Okay. I think that's it. Any last comments, questions, protests? No. Spain.

SPAIN: Can Alice repeat it, please? Or it's in the -- okay.

CHAIR SCHNEIDER: So there's no changes, basically. It's only the first paragraph. Okay.

Is that okay? All right.

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Yes. United Kingdom.

UNITED KINGDOM: Sorry. The paragraph that you just took out, I was wondering if you could pop it back in just for the moment. Because there was just the one line on the top of the paragraph which concerned the group's outreach to the rest of the community that I thought might be relevant for inclusion.

CHAIR SCHNEIDER: Tell us which one, please.

UNITED KINGDOM: It's just where it says the PSWG has been engaging in several GNSO PDPs and ICANN reviews including the proxy privacy services accreditation issues. Just that one there.

CHAIR SCHNEIDER: If we keep that paragraph in, the world doesn't go down either. So I have no strong feelings either. If you think it's important, let's just keep it in, if that's okay. So we have the first and the second paragraph. All right.

Okay. Spain.

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SPAIN: Sorry. On second thought, the meeting with the NRO is not going to be mentioned in the -- no?

CHAIR SCHNEIDER: No.

SPAIN: I think it's worthwhile.

CHAIR SCHNEIDER: The thing is there was a request to shorten the thing.

SPAIN: But the other working group has mentioned their meeting with --

CHAIR SCHNEIDER: Yeah. They condensed three paragraphs into one. Alice decided to skip two paragraphs out of three to arrive at one paragraph. This doesn't change the world, please. It will be in the minutes. Those who were there, they know it. Let's not spend any more time on this one.

Alice, please, your final suggestions.

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ALICE MUNYUA: I'll be quite happy to have a sentence in we met with the NRO. That's all. The PSWG also held a joint workshop with the NRO. That's all.

CHAIR SCHNEIDER: Okay. Let's do that. We don't need to check that there's no change in substance, right? Okay. All right.

But we'll take care of this. But I think we can accept the communique as it is apart from this detail.

And that would be the end of today. It's been a long day. Thank you very much for staying.

A logistical question, not a linguistic question. I guess there are buses that go to the gala dinner from here. It doesn't say on the invitation when and where they're leaving from. Does anybody have an idea? Yes. Julia.

From the conference center. At what time? At 7:00? So -- and after that is there another -- if you're there at half past 7:00, is there still some buses? Or do you have to be there? Ah, the buses are leaving from 7:00 to 8:00. Thank you for the information. I may not be the only one who had not known this. See you tonight. See you tomorrow.

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We have a number -- as we have realized again -- important issues, internal matters to discuss tomorrow. Thank you. And thanks to the interpreters. And everybody else.

**[END OF TRANSCRIPTION]**