JOHANNESBURG – GAC and GNSO Meeting
Wednesday, June 28, 2017 – 11:30 to 12:30 JNB
ICANN59 | Johannesburg, South Africa

CHAIR SCHNEIDER: I assume that the Adobe is loading the agenda that we're having. We're having a few items that we prepared and -- for discussion. Of course if new things add up, you're always free to bring it in.

So let me welcome our colleagues from the GNSO, and maybe for those that are not familiar with all the faces, let them quickly introduce themselves, so that we all know each other. Thank you. So welcome, James. Please start.

JAMES BLADEL: Thank you, Thomas. I am -- as you indicated, I'm James Bladel. I am the chair of the GNSO.

At the end of the table, we have our esteemed vice chair, Heather Forrest, from the non-contracted party house, and to her left is Donna Austin, the vice chair from the contracted party house.

I believe we were also looking for Carlos, who is our liaison from the GNSO to the GAC, but I don't see him in the room and he may have a conflict.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Just one point of order. Unfortunately -- and I know we started a bit late -- is that we do -- several of us have a hard stop at 12:30, so let's -- if possible, we can just dive right into our agenda. Thank you.

CHAIR SCHNEIDER: Thank you. So, yeah, we'll see whether Carlos will be able to make it. Carlos Gutierrez is, since last year, the -- or this year -- no, at the end of last year, I think, the liaison of the GNSO to the GAC.

As you see there, you're seeing the items that we propose to use the time to interact on the screen in front of you, so let's start with the first one, which is about getting an update from the GNSO on where we are with, on the one hand, the work on the Red Cross/Red Crescent protection, and, on the other hand, on the IGO protection.

So let me hand over to James again. Thank you.

JAMES BLADEL: Thank you, Thomas. So I'm happy to report, for those who perhaps haven't been following this issue closely since our meeting in Copenhagen, that the GNSO, in cooperation with the GAC and the board and -- as well as some of our facilitated discussions, have executed a section of our procedures called --

well, it's called Section 16, but essentially what it means is a review of GNSO policy recommendations.

We have reconvened the working group to examine one -- or I believe just one, perhaps two of our recommendations, with the instructions that they should consider some of the topics and issues and considerations that were raised during our facilitated discussions.

We are expecting that group -- I know that they have met for their first time. However, they're not very far down the road in their work. They are putting together a work plan and they are expected to deliver some -- some guidance on that I think in short order, and certainly by Abu Dhabi or shortly thereafter.

I do want to preface -- just make two comments on that effort.

The first one is that Section 16 guarantees that these issues will be looked at as a review, and new information that was perhaps not available to the working group at the time will be taken on board, but it does not guarantee any particular outcome. It is very possible that this working group will conclude that the recommendation should stand. It's possible that they would offer amendments or modifications.

All of those are open possibilities at this point, but that work is underway.

The second consideration which came up during our discussions was the question of membership and whether or not the -- the reconvened PDP should stick to the original roster of participants or whether that should be, like a new PDP, opened up to all interested parties.

We are trying to split the baby here a little bit because in a typical situation this Section 16 would be invoked perhaps a few weeks or maybe a month after the PDP has concluded. This one is challenged by the fact that so much time has elapsed between the original PDP and the reconvened working group, it could be, you know -- I think we're looking now at over three years. And so that's challenging the idea that this would be sent back to the same group of folks.

And so what we've asked Thomas Richert, who was in this seat just a few moments ago, to do is to exercise some good judgment when accepting requests to join that group by folks who have not participated in the original work and ensure that all of the points of view that were present in the previous working group that may not be able to join for one reason or another are represented in this reconvened working group. And so we are asking him to -- to -- we're giving him a bit of latitude and judgment in that regard.

So those are the two issues associated with -- with the Red Cross name, and I think we should have more to report the next time we are all together.

CHAIR SCHNEIDER: Thank you, James. And just a remark to express the appreciation that you're trying to make this inclusive and open because this is fundamental, I think, in particular, in issues like these that were problematic just because not everybody has felt included in a proper way in the past, so that whatever your -- your formalities allow, to be pragmatic and try to be as open and inclusive as possible. I think this is one of the keys to success in cases like this.

Are there any quick comments or questions about the Red Cross from the GAC members?

Yes. I see Iran.

IRAN: Thank you, James. Thank you to the two vice chairs. Thank you for the initiations of reviewing the situation. But perhaps what I looked on the board, saying that, "but does not guarantee," perhaps we say "with a view to protect them but does not guarantee." Not to be very, I would say, negative from the very beginning. No one could give any guarantee to anything, but all

effort should be made to meet the concerns and requirements. This is just the comment that I have made. Thank you.

JAMES BLADEL: Thank you. And that certainly is the expectation of the working group, but I have to account for all possible outcomes and scenarios, so I just state that mainly to -- you know, to cover all bases. Thank you.

CHAIR SCHNEIDER: Thank you. U.K. briefly.

UNITED KINGDOM: Yes. Thanks. Just very briefly, echo your comments, Chair, that this is a very welcome step by the GNSO to reconvene the working group, and we and the ICRC look forward to participating in the working group discussions, subject to the decision on participation and so on. Thank you.

CHAIR SCHNEIDER: Thank you. I think we have to move on to the next. Yeah. So thank you, James.

JAMES BLADEL: Well, the next update, Thomas, will be a bit shorter because there's less to report.

We had some facilitated discussions in Copenhagen, and I don't know that we have any immediate next steps except to perhaps continue those discussions.

One perhaps bit of encouragement was that we discussed whether the -- I think one of the wishes of the -- of the community was that the -- there be some sort of a notification mechanism when an IGO acronym is registered, and I think the good news is that we may have identified a way to do that without necessarily going through the policy development process and that there are a number of commercial services that provide this service, this monitoring and notification service, and perhaps it's just a matter of ICANN, the organization, facilitating a portfolio of those types of acronyms to be monitored and watched and a notification regime set up. Whether that's something that's provided, you know, as a -- as a function of ICANN to the community or at little to no cost, all of those details I think are still up for discussion.

But the point is that it's not something that we would necessarily have to go and go through some long laborious process and rewrite the rule book. It's just simply a matter of

matching the needs and the requirements to systems that are already available.

But I think more discussions are necessary here, and I know that those are forthcoming.

CHAIR SCHNEIDER: Thank you. Yes, we note that we seem to be able to find implementable solutions that are within the current framework.

Another question may be the issue of the curative rights PDP, where we have given input, and I get the feeling that not everybody's sure that this input has been taken duly into account or fully understood, so I don't know whether you have some update on where that group is. Thank you.

JAMES BLADEL: So that -- the question of the curative rights PDP, which is actually, I think -- probably falls now under Agenda Number 2, is something that we've discussed with that PDP.

We note that they recently held a public comment period and that they received not only GAC advice from the different communiques and the small group proposal, but also, I think, submissions from individual GAC members as well.

I note that they conducted a very careful and thorough analysis of all the comments and feedbacks received, regardless of whether it came from an individual member or from the GAC, and that they modified their draft recommendations as a result of those comments.

So I can tell you that they are approaching a final recommendation state.

However, it would not be correct to say that those -- their final recommendations, although they are modified as a result of those comments, are not necessarily 100% aligned with GAC advice. So there are still some differences.

CHAIR SCHNEIDER: Thank you. Does anybody want to quickly react on this?

If that's not the case, I think we'll take note and we're looking forward to see further progress, in the hope that we -- also we would not be too far away from each other. That would be, of course, the hope. And if we are not matching, then we'll need to see again how we take this to something that is satisfactory to all.

With this, let's --

JAMES BLADEL: We expect that that will be -- those reports will be available by Abu Dhabi, ICANN 60.

CHAIR SCHNEIDER: Okay. So we may have some intense discussion about this in Abu Dhabi.

Next one -- item is an update on current PDPs and on GAC engagement in these.

I don't know whether you have slides. Maybe let's not go too much into the details of each single PDP but, rather, yeah, see where are the priorities and where should we engage, and how, knowing that this is an endless discussion about engagement and there are some structural challenges for us in the GAC that does not make it very easy for us to engage, but we keep trying. Thank you.

So the floor is yours.

JAMES BLADEL: Thank you, Thomas.

So noting that we have currently four PDPs in process, the first one being the access to curative rights PDP, which is nearing the end of its work, in that it's probably preparing to release its draft report between this meeting and Abu Dhabi.

The next one that might be interesting to the GAC is the next-generation RDS -- registration directory system -- PDP, which is meeting today and has had a cross-community discussion, I believe on Monday. I think there has been some GAC engagement, but I think mostly that's come in the form of perhaps law enforcement or public safety working group or security -- security firms, but certainly there's an opportunity to engage on those issues.

We also have the PDP on what we call subsequent procedures, which is addressing issues that are necessary on the critical path before a new application window can open for a next round of new gTLDs, and one of the topics that has been interesting, both to the GAC and to the ccNSO, is the subject of what we're calling geo names, or geographic terms, and use of those in applications and what the process might be for that, and there was a cross-community discussion on that yesterday, last night, and that was interesting because it included some professional mediators to manage the conversation.

So I thought it was an interesting example of how that resource can be used and leveraged to advance the work. And I believe they're having another session on Thursday. So I would invite all of the members of the GAC and the ccNSO who are interested in participating in that work to -- to engage on that.

And then the final PDP is a review of rights protection mechanisms in all gTLDs, and that is in its first phase of its work, which is focused on those rights protection mechanisms that were established for the next round -- or the previous round in 2012, so it's the Trademark Clearinghouse, it's sunrise, and I believe the URS issue is in there as well.

I'll be honest, I'm not sure what the GAC -- the level of GAC engagement is, of government engagement is in that particular PDP, but it's certainly welcome to additional participation.

And I'd be happy to answer any questions on all of the landscape of PDPs or any one individually, and if I don't know the specifics, which is very likely, I can defer to one of the vice chairs or staff or we can certainly take it offline.

CHAIR SCHNEIDER: Thank you. I guess we'll all discuss the workload issue later this afternoon in a cross-community session because what is a one-line PDP may end up in a large number of sub-processes and that is one of the challenges that we are facing. But I don't think we should go into this discussion now. We'll have some time in this afternoon on a priority session. And so let me give the floor to Donna first and then to see whether we have questions or comments from the floor. Thank you. Donna.

DONNA AUSTIN: Thanks, Thomas. Donna Austin. Just a question for the GAC. In the format that we have for this meeting, being as it's a policy forum, and the dedicated sessions that we have for cross-community discussion primarily in the afternoon sessions, with regard to the PDPs that we have, RDS had, I think, quite a significant session on Monday afternoon and also James' reference to geographic names, that was a discussion that started yesterday and will continue on Thursday.

In terms of GAC participation or the ability of the GAC to participate in those discussions, it would be helpful to understand whether those -- by enabling those cross-community discussions does that help at all the GAC in their participation, or at least having some idea of what is going on within -- within those PDPs. You know, obviously this meeting B is supposed to be about progressing policy matters, and we're trying to look at ways, you know, to engage the broader community in those discussions. So it's not just about face-to-face for the PDP working groups themselves. We're actually looking for other mechanisms to engage a wider audience into those discussions. So I just wonder whether those cross-community discussions, you know, are actually helpful to the GAC in any regard. Thanks, Thomas.

CHAIR SCHNEIDER: Thank you, Donna, for this question. I think this is a very good question, and I'm sure the GAC members have views on this, so I see Brazil and Iran have their hands up.

IRAN: Yes, the answer is yes. And yes. But the other issue is going to the actual work of the PDP. No more stuff. No resources in the many governments. That is the problem. Face-to-face is very good. Thank you very much.

CHAIR SCHNEIDER: Thank you, Iran. Brazil.

BRAZIL: Thank you, Thomas, and thank you. I'd like to thank the GNSO for the presentation and also the question. And I concur with Kavouss. I think those opportunities are very important for early engagement, for better understanding. But this must be seen as something additional to and not exactly -- they're not called for in the overall design of how ICANN should operate. That is to say this does not replace the role of the GAC should exercise at the end to have process by providing this advice. And I think one of the reasons for that is that besides the difficulty for councils to

engage, I think the engagement in those processes reflects individual efforts. Kavouss and others have been tireless in doing so and should be commended for that. But this does not replace, let's say, the full appraisal of the issues, particularly because at the beginning of any process our representatives from the (indiscernible) governments who participate, let's say on the basis of not having the same level of information or engagement of interests, even in the -- as we go along and discuss the issues, we are, most of the times, getting way of what would be the public implication, the public aspects that would be of our interest. So it's not -- let's say, it would not be fair to expect that by participating those policy developments would suffice to express the GAC's input into those processes. But anyway, this is very welcome. I really commend and welcome the opportunities that have been provided for this because this assists us in preparing our advice, then that should be channeled in its proper form.

And just for your knowledge, in the meeting we had before with the board we shared our concern that -- and this has taken place recently, with regard to letter delegation at the second level, that the -- that the way -- the moment that the GAC is intended to provide institutionally its opinion in a way is seen as a very late-stage one that would not impact on the board's decision. So we think that's something structural that should be fixed. We

welcome the GNSO opportunity for us to engage at this early stage, but we think that this is part of also the reflection we want to have a wider -- you know, wider context on how to make sure at the end of the process all the inputs are there in a meaningful and significant way. Thank you.

CHAIR SCHNEIDER: Thank you, Brazil. Switzerland.

SWITZERLAND: Hello. Good afternoon. And thank you for being here. Jorge Cancio, Switzerland, for record. On this second point and also responding to Donna's question, I think it's really very, very useful to have those cross-community sessions. I wish even the PDP sessions could be scheduled or our sessions, the GAC sessions, could be scheduled in a way that we could participate at the face-to-face meetings because while some delegations have various members, but most of the delegations only have one person. So it's difficult to be at two places at the same time. So I think that's a real good beginning or something we have to explore even further.

As to the other engagement possibilities, I share and I agree very much with what was said by Brazil and it takes us back to the -- well, what is under point 3 which is the implementation of the

joint recommendations to improve our -- our interactions during the PDPs. And I think we have to put really flesh to the bones of those recommendations. And really try to -- to improve the mechanisms that make sensible participation of the GAC possible in the PDPs. We have to be mindful and we -- and I would request your comprehension, your indulgence, that GAC members are not able for questions of resources to be as actively participating in the PDPs. So we need kind of an extra effort to reach out to us to give us feedback whenever we make inputs to public comment periods, that we get a response and how this was received or also a proactive outreach from the PDP working groups when they deal with issues that are affecting interests of the GAC, that we get some direct communication. That would help us a lot to improve that interaction and avoid that we enter into any kind of conflict.

So I think this is in spirit within the recommendations of that joint working group we had, but we really have to flesh it out and implement it also in the -- in the workings of the PDP working group. So I hope this helps. Thank you so much.

CHAIR SCHNEIDER: Thank you. I don't know -- does the U.S -- the U.K. is wanting the floor but Heather, you --

UNKNOWN SPEAKER: (Off microphone).

CHAIR SCHNEIDER: Sorry, I missed somebody. Who from this side wanted to take the floor?

UNKNOWN SPEAKER: (Off microphone).

CHAIR SCHNEIDER: Okay. So let's quickly give the floor to Mark from the U.K. and then give you the chance to respond. Thank you.

UNITED KINGDOM: Yes, thank you, Chair. Just a quick comment on the rights protection mechanisms review PDP working group. Of course, we have our colleague from WIPO, Brian Beckham is an active contributor to that. WIPO an observer on the GAC, of course. I'm also a member of the working group. I've joined a number of calls. Not many, I have to say. But I've also -- I found the discussions quite detailed and technical in relation to intellectual property rights, definitional issues, and so on so difficult for me to contribute from any expert position. So I've spoken to our intellectual property office in the U.K. and they have taken a decision to apply to join the working group. So we

will have our IP experts in the U.K. administration contributing to the work in the future. And that may be an approach that fellow GAC representatives might take, if they consult with their IP agencies and so on with a view to contributing to that important work. Reviewing, as you said, James, the trademark clearinghouse and URS and so on. Thanks.

CHAIR SCHNEIDER: Thank you. So I think it's time for you to give you the floor to respond, Heather. Would you want to go ahead?

HEATHER FORREST: Thank you, Thomas. Heather Forrest. I wanted to pick up on some of the comments that have been made by representatives here, and just emphasize that we have certainly been listening to the concerns that you've raised in previous sessions with us about the challenges that you face in participating, and we continue to listen. And we do understand that simply telling you that a PDP is inclusive isn't enough. So we have thought very openly and creatively as a community about how to refine and further develop our own processes to incorporate not just formal mechanisms but informal mechanisms for the community, including yourselves, to participate. This will continue, and it's marvelous to see that what we've done so far has been helpful and just to let you know that we'll continue to

do that. We take onboard your comments about scheduling. It's something that we as council leadership can definitively take in hand in terms of our role in meeting scheduling, and certainly we share your concerns in that regard. So I think this has been a very constructive discussion with tangible things that we can go back to further improve the process and continue in this sort of creative thinking. Thank you.

JAMES BLADEL: So that's probably a fairly good segue into the third item on our agenda, which we seem to be covering as well. And just a note that as far as the formal mechanisms that Heather referenced, we have developed the GNSO liaison to the GAC and it's -- that's Carlos. We have identified the -- or established a quick look process by which GAC members can view the topics and questions under examination by a PDP. I understand that we provide a one-pager update on all of the activities of the GNSO that's distributed monthly, so I hope that everyone has had a chance to review those and found those to be helpful or informative or certainly if they had questions, they would feel comfortable and free to raise those either directly to the GNSO, GNSO leadership, or to our liaison. And so all of these things I think we're -- we're developing still as we continue to implement the recommendations of the consultation group in an effort to facilitate and smooth over some of the challenges that Jorge

identified as far as early and effective participation by GAC in the PDPs and it's something that we will continue to refine as we go forward. I think -- I call you Kavouss, but I think Thomas would say Iran, you have a question.

IRAN: I'll call you James, Donna, and Heather. A suggestion for your consideration. This is my experience, that GAC would be more active when they are in session. There are -- they have big challenges when they are not in session because of the resources. Is it a possibility you consider that at some point of time you send your PDP at the level of close to be measure to go to GAC, when they are in session they could have the possibility to comment on that. Because if you put public comment, I have looked at the public comment. I see very, very few participation from government in any of those public comments. Sometimes a number of the whole comment of 15, 16 or maybe more, I don't know, I have not checked all of them, but I can assure you that while we are in session we are in a better position to provide comment to you. Just for consideration. No decision. It is a pragmatic way. It may not be in the process. I don't want to create additional process, but if you want to be effective, we want to be effective, that is one way that we could be. We are more active while we are in session. Thank you.

JAMES BLADEL: So thank you. If I'm understanding the suggestion correctly, you're proposing that we align the public comment period of a given PDP, any one of them, with the time period that the GAC is in session, which I assume aligns with the general ICANN calendar, is that correct?

IRAN: Just for consideration, the details we work out. It's just very raw material. Thank you.

JAMES BLADEL: Just for the benefit of everyone, just so we are aware, the public comment period is a specific point in the process of the life cycle of a PDP. It may occur usually not very early in the process but at a certain point when the working group believes it has reached some sort of preliminary conclusions. That could happen at any point in the calendar regardless of whether it's at an ICANN meeting or immediately before, immediately after.

However, that said, there's nothing that would necessarily preclude the GAC from beginning to put together a draft comment on an active PDP even though a comment period is not necessarily open. And that could be either submitted in advance of a public comment period window opening or be held

for that window. All of those, I think, would be certainly welcome feedback to a PDP at any point in its life cycle.

IRAN: That is a very good suggestion. Thank you. We have to take it on board in the GAC. Thank you.

JAMES BLADEL: I guess my point is don't feel constrained by that public comment period if there's something you would like to send feedback on. I know no one else does.

Donna and then -- I think it's just Donna.

DONNA AUSTIN: Thanks, James. Donna Austin.

I think if we're going to take that into consideration, we need a closer conversation about the development of your agenda and how we can, you know, manage that with ours for any given meeting because we all have different priorities. And getting the right people in the right room at the right time could be a challenge. So maybe, Thomas, if there's some way we can work with whoever develops your agenda and we can try to do some of that alignment that's being suggested and requested. Thanks.

JAMES BLADEL: Thanks, Donna.

And Manal wanted to comment as well.

EGYPT: Yes, thank you, James.

Actually, I have reviewed the implementation plan and I have -- first of all, I have one general remark which basically echos what Brazil has just mentioned. And this is in light of some discussions most recently of which the one we had with the board today and that the early engagement is envisaged to facilitate the discussions and help converge views to ultimately try to ensure a non-controversial GAC advice to the board but not to replace the GAC advice to the board.

On the plan itself, the implementation plan, I would like to differentiate, I think, between one-time actions which were marked as completed and ongoing actions which are equally marked as completed. So I think we should differentiate between those.

And I think ultimately we will not be tracking the implementation through this document. I think one-time actions are going to be out of our follow-up. But ongoing things

should be incorporated and built in within the process itself, just to make sure that it is documented and institutionalized.

I also have a couple of comments on the substance itself. I'm not sure whether this is the right moment to ask about...

So one of the marked actions as completed is the consultation between the GAC secretariat, the outgoing and incoming GNSO liaison to the GAC and the relevant support staff. And I was wondering whether the outcome of this consultation was shared with the GNSO and the GAC as mentioned and in the implementation plan and marked as completed.

And I do apologize in advance if this was shared and I missed it. The other remark has to do with reviewing the GNSO PDP manual and proposing modifications to incorporate the quick-look mechanism as a standard feature. And I understand that those modifications are currently posted for public comment. And I'm wondering: What is the status of this? Is it already posted? Is it still open for comments? When is the close date for this? I'm just wondering about the status.

And, again, to reinforce my point, many -- many of the actions in the implementation plan is simply remind the GAC and the GNSO Council of this recommendation, which I think it's going to be taken care of implicitly once we have those incorporated within the process.

And, finally, before I give back the floor, I would also remind ourselves that we have part of the recommendations stating that we have the option to have a conciliation mechanism in place, if need be. So this is also good to remember and to make use of. Thank you.

JAMES BLADEL: Thank you, Manal.

Just to quickly respond to your questions, I do understand that the operational process that incorporates not only the quick-look mechanism but other changes as well is currently open for public comment until August 10th. I think I have got the date right, August 10th. And then the notes you were referring to from the outgoing liaison were shared, but we didn't receive any feedback necessarily on those as of yet. So I hope that answers your questions.

I think perhaps we maybe have a little bit of work to do in terms of going back and reviewing that again. But if you are interested in filing a comment or reviewing the comments received, I believe that comment period is still open.

And, yes. Go ahead.

CHAIR SCHNEIDER: Just to make a few comments on these very important discussions from my side. I'm realizing that it is becoming more and more clear to more and more of us that we do have -- I think as the ambassador of Brazil has alluded to, we are having a little bit of an increasing structural problem in ICANN. We've discussed this with the board already this morning, that our function as it is in the bylaws of giving advice to the board is seen as more and more problematic because it's coming in very late to the process. We are expected and we are doing our best to engage as early as we can in the various processes, which is difficult for us for many reasons. One is the sheer workload, the sheer number of things that are going on in parallel. We'll be able to discuss this in our sessions about priority later this afternoon. And I think if ICANN claims to be inclusive, not just through formally being open but actually allow for a meaningful participation of everybody, then we need to find ways to reduce the number of simultaneously ongoing work. That's one of the elements to solve that problem.

Another element -- and this is at least as important -- is the fact that progress has been made and much more progress needs to be made about presenting work in a way that is accessible to those who don't have the resources to be part of it on an almost daily or at least weekly basis. And it starts with naming,

numbering, giving information on documents about who the author is, what the process is, and so on and so forth.

But also, and much more important, the development and awareness needs to be where that what is communicated is understandable and accessible to non-insiders and that it goes for the everyday work but it goes in particular for whatever is put out for public comment.

If you have 30 days' or 45 days' period as a GAC representative that is supposed to take something in and then consult his government colleagues and also his stakeholders on a national level, if it takes you one hour -- or several hours to yourself understand what a public comment is about and then you need to write this down to actually help and explain those colleagues and stakeholders that you are supposed to consult so that they start understanding a little bit of what this is about and all the efforts that are serious resource-consuming issues, to actually get a meaningful consultation done, to get a meaningful -- be able to make a meaningful input into such a process, this is something that if things were explained, abstracted, executive summarized in ways that this translation exercise would not need to be done by the GAC representative that may have 10 or 15 or 20 other institutions to follow. So that would significantly increase the de facto openness and accessibility of a PDP or other processes in ICANN. And I think this is something that we

should really seriously tackle very quickly because that's probably the easiest thing to do of all the things that could or should be done in order to make these processes actually accessible, not just for governments but for everybody that has limited resources in order to come to meaningful and, let's say, inclusive processes.

And the thing is with the reform work on the IANA transition on accountability, ICANN actually showed that it is possible to present very complex issues on a 10-pager in addition to a 200-page report, on a 10-pager, on a 1-pager, on a 2-pager with graphics with ICANN. And if the incentives are there that you actually have to be inclusive, then ICANN has proven that they can do it. And we would wish and expect all the processes that claim that they are open and inclusive to do the same. Thank you.

I see Indonesia.

INDONESIA: Thank you, Tom.

I think since last Monday, we already have several times discussing the same thing, where the government is also requested to respond to a PDP process in a public hearing and public hearing and so on.

I think it should be taken in mind also that for a government response, we have our own, what you call it, letter of processes, bureaucracy, and so on. I don't like bureaucracy personally. But in a government, we have to do that. We have bureaucracy we have to follow. And it takes time.

And so it may happen that by the time we can pass the bureaucracy processes and public hearing is done, it's already May. So we have a problem and the working group or the SO or AC, other SO, other AC working group will say, Well, it's finished. You didn't say anything during the public hearing time and no possible problem, without taking into account that sometimes for a country, especially a big country like Indonesia, for example, it takes time to respond to that.

The same thing happened -- the same thing also where this morning when Kavouss mentioned about 60 days' period for processing or for commenting as a minimum day, I think that will be practical important to be taken into account because 60 days for a country might be too long but for a government, it might be too short. So these are the kind of things we have to take into account when we are talking about the public hearing processes and so on. Thank you.

CHAIR SCHNEIDER: Thank you, Indonesia.

Iran.

IRAN: Yes, Thomas. One quick suggestion, I think in the public comment, there was representation, result of one and a half year of the work. If this result of one and a half year of the work put in public comment and GAC wished to consider that, or member of the GAC, it would be difficult and challenge to comment on the result of one and a half year. Would it be possible in some sort of executive summary that perhaps you referred, highlight the issue relating to the public policies that are of direct interest of GAC? Because we are not interested in all the issues but at least in part. Is it possible to highlight that? And then it would be more easy to comment. If it is already done, sorry. Just -- I don't know. Perhaps you explain the situation. Thank you.

JAMES BLADEL: Donna.

DONNA AUSTIN: Thanks, Kavouss. Donna Austin.

I guess, as we think through the process, the GAC provides input in terms of the quick-look mechanism to identify what the public

policy issues are. One of the challenges for the GNSO is we don't come -- most of us don't come from a governmental background, so we don't necessarily understand what potentially the public policy issues are. So I think the quick-look mechanism is a really good first step.

And then perhaps when it gets to an initial report stage or some stage of the process, maybe that's an opportune time for the PDP working group just to have another look at those public policy issues and see from the PDP perspective whether they think that's been covered. But then to come back to the GAC and perhaps do a rethink on that. Maybe there's an opportunity for a dialogue at some point just around those public policy issues.

So I think perhaps moving forward, we need to understand the quick-look mechanism is really, really important. So if we can do that -- if that's done properly, then the PDP working group probably has a better understanding of what the potential issues are going to be for the GAC. And then when you come back and potentially have another conversation during -- at some point during the PDP, that focus can be around those public policy issues that the GAC has identified.

But, you know, we have heard many times the challenges that the GAC has, and we understand that. We know that that exists.

We have our own challenges with these PDPs. So you're not alone. But I think what I'm starting to understand is when we have four PDPs running in parallel and all of you in this room are trying to understand what they mean, it's really, really hard when the resources aren't there to allow you to do that. And I know you have a brilliant secretariat who helps in that regard, but I think if we can get those public policy issues identified up front and we all understand the importance of those, maybe that's the grounding we need for future conversations when we come back with PDPs.

So thanks.

JAMES BLADEL: Thank you, Donna.

And just noting the time, and we only have a couple of minutes and I know we want to spend a little bit of time on Agenda Item Number 4. So as a final update, I think there was some discussion around the GNSO review of the Copenhagen communique. And I think this goes, again, to the discussions that we've been having about getting government involvement and engagement as early as possible in the process to identify those areas that have public policy implications.

I don't know if there was something specific about the Copenhagen communique. Was it relative to the two-character issue or some of the other elements? Perhaps the Red Cross. You will have to refresh my memory which part of the communique prompted this agenda item.

CHAIR SCHNEIDER: Thank you.

Yes, it also some time ago and many things have happened. If I get this right -- and please come in, those who had some questions. I think some of us are not really sure what the purpose is of the GNSO review. And I think the idea is that generally it has been felt that in the beginning, the objective has been identified as creating opportunities for early engagement.

And now it's rather perceived as a message to the board that give substantive opinions about what you like and what you don't like about the GAC advice, which is not necessarily what has been perceived by us as the idea or the purpose of these documents.

I think that's more or less if I get it right the issue that raised some questions about what is the intention of this review. Thanks.

JAMES BLADEL: So the intention of the review -- and I think this came up going back to Buenos Aires in the first issue, was to identify areas in the communique that were the subject of active policy work within the GNSO and to update the board on those activities as they're relative to mention within the GAC communique. And I think we're focused specifically on GAC advice.

If I recall, there was one element -- and I'm sorry that we're out of time. There was one element of the Copenhagen communique that I think some of our stakeholders and constituencies wanted to flag for the board that they felt was an expansion of the remit of the GAC, which was relative to the two-character advice and the advice of the board engaging with individual GAC members as opposed to the GAC collectively.

And I think a number of folks had a concern about what that meant for the implications of that advice for the process of not only this particular policy but all future policies, and so I think that might be the issue -- the issue that triggered this point of discussion.

But I think generally what we are mindful of when we -- when we draft these responses is that they are meant to target those areas that are under current advice.

And the feedback from the board has been that these are -- these are valuable, that these responses or reviews help them understand, you know, the two sides of the coin.

The one -- I don't know that I want to call it a complaint, but the one concern that the board has voiced to us is that they'd like to receive these in a more timely manner. I think just due to the nature of the ICANN calendar, we're often one or two meetings behind in submitting our response, so the communique for the Copenhagen meeting wasn't ready for the next GNSO meeting and the one from Hyderabad was coming out in February, so we're trying to -- we're trying to compress that cycle and get that feedback in a more timely manner so that it's more helpful, I think, to the board and GAC, because I think we're missing some of the windows there where it might be useful.

CHAIR SCHNEIDER: Thank you. Let me just give one minute to Manal because she would like to say something.

MANAL ISMAIL: Yes. Just very quickly because, Thomas, you already did my point, but just to confess responsibility, probably, for this agenda item because I think I brought this on our joint call of the GAC leadership and the GNSO leadership call, and this -- again,

this is a general observation that doesn't have to do with a specific advice or a specific comment, but generally speaking, and it's not only for Copenhagen communique but also the previous communique. I had the feeling that we're shifting from the original objective of the review, but just to highlight that it doesn't have to do with a specific communique or a specific advice. Thank you.

CHAIR SCHNEIDER: Okay. Thank you for this clarification. Norway, 30 seconds, and then we'll go to the lunch break.

NORWAY: Okay. Thank you.

No, I just wanted to say that I would like to thank the GNSO for going through the GAC advice in such a thorough manner, if I understood you right, to try to point out what's relevant for your processes. I think it's a very constructive way, so I think that's a good thing.

And also very short to Donna's comment, it is GAC responsibility to point out the public interest in the topics. I agree. I think you all do a good job of it. Even if you have not been in government, I think you would manage fine, but still it is our responsibility, so

I agree with the good thing of the quick look mechanism. Thank you.

CHAIR SCHNEIDER: Thank you. I would agree with Norway. The problem is we do need time to look into these things and understand them, and then identify public policy issues, so thank you very much. That was a constructive session, as usual, so that's it for this morning.

JAMES BLADEL: Thank you. And thank you for your time, Thomas, Manal, Mark, and everyone at the table and in the room. Thank you.

[Applause]

[END OF TRANSCRIPTION]