

**ICANN Dakar Meeting  
GNSO Council Wrap-Up Session- TRANSCRIPTION  
Thursday 27 October 2011 at 12:30 local**

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Coordinator: Excuse me, this is the operator. This conference is being recorded. If you have any objections, you may disconnect at this time. Please go ahead your line is open.

Stephane Van Gelder: Thank you very much. Welcome everyone to our last GNSO Council meeting of the Dakar meeting and the first meeting for - first regular meeting for the new councilors that have joined us here.

And I'll take this opportunity once again to thank all the outgoing councilors for their exceptional years of service to the community, the GNSO community and the ICANN community at large. I'm sure you'll all join me in showing our appreciation to them.

And in welcoming the new councilors I don't know if I should be congratulating you or commiserating, but I'm sure you'll be able to make your own minds up very soon.

Congratulations also to our new vice chair, Wolf has been elected by the NCPH, vice chair for this term, well done Wolf.

And congratulations and a big thank you to Mary the outgoing vice chair of that house.

She's left the room. No, no, there she is.

So I'm...

Konstantinos Komaitis: Congratulations to you too.

Stephane Van Gelder: Thanks. Thanks Konstantinos. So as you saw maybe earlier on if you had time to read your emails I sent a few agenda items or discussion topics I should say for today's wrap up session.

Earlier on there've been a few comments from people wanting to discuss other things. Before we get into that can I just ask Glen to do a very quick roll call please? Just bear with me for a minute we're getting the new list out.

Glen DeSaintgery:Jeff Neuman?

Jeff Neuman: Present.

Glen DeSaintgery:Ching Chiao?

Ching Chiao: Present.

Glen DeSaintgery:Jonathan Robinson?

Jonathan Robinson: Present.

Glen DeSaintgery:Mason Cole?

Mason Cole: Here.

Glen DeSaintgery:(Yassov Keurin) are you on the line?

(Yassov Keurin): Yes I'm on the line, here.

Glen DeSaintgery:(Unintelligible).

Man: Present.

Glen DeSaintgery:(Len Riaji).

(Len Riaji): Present.

Glen DeSaintgery:Zahid Jamil?

Zahid Jamil: Present.

Glen DeSaintgery:John Berard? Is John on the line? I don't think so. Brian Winterfeldt?

Brian Winterfeldt: Present.

Glen DeSaintgery:And (Eduardo Nuevo)?

(Eduardo Nuevo): Present.

Glen DeSaintgery:Wolf-Ulrich Knoben?

Wolf-Ulrich Knoben: Present.

Glen DeSaintgery:Konstantinos for Bill Drake.

Konstantinos Komaitis: Present.

Glen DeSaintgery:Wendy Seltzer?

Wendy Seltzer: Here.

Glen DeSaintgery:Mary Wong?

Mary Wong: Still here.

Glen DeSaintgery:Robin Gross for Rafik Dammak.

Robin Gross: Present.

Glen DeSaintgery:And (Carlos)?

(Carlos): Here.

Glen DeSaintgery:Thank you. I don't think I've left -- have I left off anybody? Oh, yes, I've left (Joy Liticut) because she's not here and Alan Greenberg our liaison who's our current liaison...

Alan Greenberg: Which I note is becoming a trend.

Glen DeSaintgery:And Han Chaun Lee?

Han Chaun Lee: Present.

Glen DeSaintgery:And now have I left off anybody?

Woman: You forgot Wolfgang?

Man: Only me Glen.

Woman: You were right in the beginning. Glen, did you get Wolfgang?

Glen DeSaintgery:Pardon?

Woman: Did you get Wolfgang?

Glen DeSaintgery: Wolfgang and (Joy Liticut) I don't know if you're on the line. I don't think so. No. But since there are no votes, there are no proxies either. Thank you very much.

Stephane Van Gelder: Thanks very much Glen. So with that, I suggest if we can start going through the topics that I sent and of the topics that people have commented on. And there's a few -- Ching?

Ching Chiao: I'm sorry, I forgot to do this on the -- I'm hearing that you're doing, I mean the agenda bashing side. I just like to make sure that we do not have a chance for the AOB, I mean from yesterday.

So I'd like to bring up the one character. I know Edmon's here so I'd like to. And also the second one is perhaps the -- I'm not sure the GO region and working group I volunteered for that particular group to be replaced or I'm not sure do we need a space to verify that again. Or just get it started.

Stephane Van Gelder: So you can - you can just volunteer and perhaps -- you're absolutely right. We should go to that item first. Apologies once again for having ran out of time yesterday during the meeting for (Televat) and the AOB meeting. Apologies to you Edmon and perhaps we can address that now.

Edmon Chung: Thank you Stephane. And so, on that particular issue which is the single-character ID in TLDs. I guess I just wanted to get a chance to I guess flag it for the council.

If you still recall, the council had a resolution earlier in May this year to prove the JIG report, to allow single-character IDs in TLDs. The issue actually has been repeatably brought up in fact in the reserve names in working groups, in

the IDN working group, in the new gTLD - GNSO new gTLD recommendations.

And every single time it has the -- I guess the bottom up process has been - has given it a green light to go ahead. In August this year the Board after receiving the report came back with a resolution that I guess at least from the JIG seems like the rationale for putting it off further seems to be at least the rationale seems less than satisfactory and the group I guess I can categorize as being rather disappointed with the situation.

And perhaps the Board has a more higher priority issues to deal with but we'd like for, you know, the group is prepared to draft a response to the Board on the resolution asking for better rationale and addressing some of the issues that they raised.

Inclu- well, part of the resolution they've asked for it to go back out to ALAC to GAC to SSAC, the only missing AC is probably RSAC. For another round of consultation which we think it's, you know, it's really not -- because it went through many rounds of public comment period and the result has always been consistent.

So I guess the flack to the council is that the JIG is preparing a response and because it's a joint working group we feel that it's best that the statement after being drafted from the group it will be passed back to the respective councils for the councils consideration before it is then -- if the council agrees pass that on to, back to the Board.

So just want to flag it. We would like - we would - we are aiming to have the statement drafted within the next couple of weeks so that it would fit into the cycle to allow the council to consider it in your next meeting.

So we just want to raise this and we'll try to circulate the - the actual issue as soon as possible.

Stephane Van Gelder: Thank you very much Edmon. Can I encourage anyone that has for action items they want to submit to person to the list so that we can pick them up? Can I also encourage people who have responded to the topics that I sent this morning to also speak up here?

Because I may not have had time to see those emails and I don't want to miss any points that are important to anyone else. Any comments or questions on what Edmon's just told us? Thank you very much. Wendy?

Wendy Seltzer: Thank you. I just wanted to take 30 seconds to report in to those who is survey working group which had a small and compact meeting. And I invite people interested; particularly in helping to define the technical components of the Whois record to volunteer to participate in that group.

It's not a policy development. It's a surveying the technical requirements of Whois. So I'll send out a note to the list and would encourage you to circulate that among constituencies for additional volunteers. Thank you.

Stephane Van Gelder: Thanks for that Wendy. No further comments on that? So let's take the next item if I can find my email. Sorry just bear with me for five seconds. Thank you. So the next item is the letter that was - has been drafted, was initiated by Jeff, drafted or redrafted or edited by several of us.

I just wanted to put the question to the council about the next steps here. Are we comfortable with sending the letter as is? And if so, can I do so as Chair on behalf of the council after this meeting? Jeff and Alan?

Jeff Neuman: So in the -- at this point I don't think there's a need to send the letter after seeing their response. I think they answered almost all of the questions. And also indicated very strongly to us that they prefer to work separately on this issue and then take the two separate results and compare them.

So I am very disappointed at their response, although it's not unexpected. If anything I think there should be a communication between Stephane and Heather, the chairs - the two chairs as to, you know, we're a little disappointed at the fact we continually reach out to you to work together.

And the response we always get is, "No we want to work separately." But I do entertain those requests from the ccNSO. But I'm not sure why we're getting that kind of response.

But in the meantime I would suggest that we set up a little informal team or a mailing list amongst us to kind of work through the issues that we've brought up the other day and develop a proposal.

Stephane Van Gelder: So there's two proposals there. One is for -- three. One is to scratch the existing draft; second, is to draft the letter saying we're surprised and are unpleasantly surprised the lack of willingness to cooperate; third, is the one to create a small group to work on this issue.

I have Alan next and Mary.

Alan Greenberg: I'm not sure I got your detailed analysis but I'll say what I was going to say and you can try to work it in. I was pleased to clarity in their new letter. I was equally displeased that they didn't say -- and we have three people who are willing to talk to you -- to make sure there are no further issues that are misunderstood.

And I haven't reread our letter in light of theirs. So I'm not sure they have addressed all of the issues. I think we need to check to verify if they have indeed answered the questions. We hadn't asked yet, we don't need to ask them.

If there aren't anything left, we don't need to send it. I would not send a letter to the GAC saying we're displeased, you didn't give us three names. That's a one-on-one discussion I think not a letter.

Jeff Neuman: So on the first point just to response, I think they covered everything except for the release mechanism which I'm thinking until we actually draft the (strawman) for them to look at. It's probably not worth a letter just for that.

And on the second point I understand it may not be a letter but it should be a communication in some way between the chairs to just say, "Look we're reaching out trying to get your assistance and it would be nice if we can get some volunteers."

Understanding full well the limitations that they have that is - which is the individual reps not the view of the GAC. The fact that they didn't make clear that they should not be releasable and not absolutely reserved I think makes it clear that we need to develop a mechanism. So, again.

Stephane Van Gelder: So I'm happy to talk privately with Heather just to express that we are surprised with our continued efforts of cooperation are not - get any response from them if that's what the council wants. I need an indication of that before doing so please.

I have Mary.

Mary Wong: I think it's a good idea that you speak informally to Heather expressing our disappointment. I do think, however, its also value in the formal communication, not along those lines.

But one of the things that we probably at least I think hopefully speaking from my group is there are certain things that aren't answered and may be require the passport or working group when formal committee whether to work on.

Two specific possibilities, one is that, we make reference in our original draft not just to release but to the circumstances under which recognize a legitimate...

Stephane Van Gelder: Sorry, can I just interrupt five seconds.

Mary Wong: Yes.

Stephane Van Gelder: To ask the people in the back of the room who are very welcome to enjoy our lunch to do so quietly please.

Mary Wong: Or I could just shout. Anyway so we might -- I think they're two specific things that we might want to communicate back even before we form this committee or group or whatever.

I think one is to flag the issue of the recognized legitimate third-party uses which is more than just release in our view. The other is that in the original communication and to emphasize in the latest letter that it is a list of examples or illustrative protections under certain national legislations.

I think we've been told this week that the IOC and the Red Cross and Red Cross movement have done that research quite exhaustively. I think it'll be very useful to whatever group that's formed to have that research or access to that and I think we can ask for that sooner rather than later.

Stephane Van Gelder: Thanks Mary. Thomas?

Thomas Narton: Two points, number one, I share the disappointment with the fact that the GAC is not willing to directly talk to us. And I think that its not - it shouldn't be only for Jeff or Stephane to talk to Heather but for each and every one of us who have access to GAC members to informally ask them and share the disappointment.

And maybe emphasize the fact that we need to reach a better level of communication with the GAC in order to avoid friction. The second point that I want to make is that with the request on Sunday that we put in our comments and questions in writing and as far as I can see this still stands.

And although a lot of points have been covered in the latest communication, I think its - it's also more or less it could be good for us not to be seen to be chased by the GAC with them putting our correspondence in writing and reacting to it.

I mean a lot of work has been put into our letter and I would submit it just to keep communications open at that level too.

Stephane Van Gelder: Thanks. I'd like reaction on that suggestion. That's the first point that we were discussing whether we should send a draft or not. On a personal level I agree. I think we drafted something and even though the GAC have answered may want to send it.

On the first point you made each individual councilor in his or her individual capacity is obviously able to talk to the GAC reps or whoever they know on the GAC.

It's a little different. If I do so and to do so myself, I would not do so unless the council feels as a whole that those conversations are appropriate. Yes.

Man: I just got the impression that in the GAC sessions there were a handful of GAC representatives being very outspoken. And I think the community gets the impression that the views of the GAC was presented to speak up are shared by the whole community.

And in private conversations with GAC representatives I got the impression that there is not unanimity on all those issues. And I think we just need to flag that and cut and encourage other GAC members to be more visible in the

GAC sessions too. So that is, you know that there is a bit more balance maybe.

Stephane Van Gelder: What I heard of the GAC views was each time they were given they were prefaced either by Heather or mostly by Heather saying that they were very much a representation of full consensus. So I heard those words and I heard words given to the Board. So to me when the GAC Chair says that in a public meeting, that's what it means.

So if we can take some action items away from this discussion, do we still continue working - well, do I send the letter that has been drafted? Those in favor raise your hands so I can get an idea of -- okay.

Those opposed -- you haven't seen it?

Can you - I can't hear what you're saying.

Woman: I am just saying that I'm not on your mailing list so I need to go to the Web site and take a look at it before I can say yes.

Stephane Van Gelder: Okay. Well, this is obviously not ready to go then. We'll continue online. The idea with me speaking privately to Heather, that seems to get approval from most people, is that correct? Okay.

And the creation of a small group I don't see that as being a problem, it makes sense, are we in agreement on that? In which case who would like to lead that effort?

Jeff Neuman: I would.

Stephane Van Gelder: Have I given you that to do already? So Jeff's volunteering. Thanks. Alan?

Alan Greenberg: I believe not only was Jeff volunteered but he also asks for volunteers and have received 1/2 dozen of them.

Stephane Van Gelder: So the next item is work on best practices and what do we want to do with that now? So can I open that up for possible direction from the council? Marika?

Marika Konings: Well, I'm not providing direction from the council. I just wanted to give you a little bit of feedback on the discussion we had this week. Is apart from the update we gave on Saturday to the council on the topic.

We also briefed law enforcement in a session on this initiative. And we...

Stephane Van Gelder: So I'm going to ask you once again please. If you're in the room in the back, please try and keep the noise down. We are still trying to have a meeting here. It's a public meeting and it's difficult to continue with the noise.

Thank you very much.

((French Spoken)).

Marika Konings: Okay. So we had basically on Saturday basically the council we briefed law enforcement in the closed session they had. And we had a public workshop on Wednesday on this topic.

There was a lot of interest in the issue who had quite, you know, good discussion and also, you know, people thinking a lot as how this might work. Though the council had some discussion and I know there are some concerns about elements in the paper and, you know, one option would be for the council to put it out for public comments.

Another option that, you know, to discuss privately with some people would be to be actually -- if there's support for moving forward on this issue -- to just

move forward and create a drafting team that would look at developing a chart of initiative.

And I think in that context you might be able to address some of the concerns that you might have with the paper providing very clear guidance and limitations and scroll guidance on what such a drafting team and what's such a working group would be tasked to do.

You know, may be see discussions that have been had with GNSO and Board and the GAC and the Board, there's, you know, obviously a lot of public interest in, you know, addressing the views and, you know, action on those item.

So possibly instead of first for public comments the fastest way to have some action on this might by moving forward with creation of a drafting team, of course, provided if there is interest and support from the GNSO council moving forward on this issue.

Stephane Van Gelder: Thanks Marika. Any comments?

Man: Actually, I have a question. I wasn't able to attend that session. Marika what was the main part of the outcome of that session that the council should consider?

Is it in the creation of the best practices documents that would be attached to registrars or all contracted parties?

Marika Konings: No we needed - the paper outlines the questions that need to be answered. And the concluding recommendations coming out of the paper was saying that there is probably a need for the creation of two working groups.

The first working group should be a GNSO working group that needs to define the framework. You know, one makes a best practice, you know, what

is the definition of nonbinding? What is ICANN's role? So really setting out that framework and really providing a need to attain.

You know, like what is it mean? Would it be attached to an agreement or posted on the Web site? And the second working group that, you know, maybe would start a little later or in parallel would be a more technical kind of working group or expert working but really would look at practices and saying, "Okay, these are the ones that, you know, under the framework that we need to have defined here would qualify as best practices."

So that would be the idea going forward.

Man: Thank you.

Stephane Van Gelder: Thanks Marika. So the question is do we look to start a working group on this? What are the next steps? I will leave that question...Jeff?

Jeff Neuman: When we posed the question to staff given everything that's on our plate. Given the several issue reports that are still owed, what is the capacity we have to actually -- if you were to go ahead and form two drafting teams which I think is a better suggestion than putting out the paid referred public comment for the issues that I talked about at that meeting and this one on Saturday.

What is the capacity is staff to actually to do that? Who do we have to put on hold? What could we not move forward with?

Marika Konings: I think at this stage we're just looking at a drafting team. So I think its more a question for the council because I mean we can I'm sure we can support a drafting team before all the projects going on.

But as I said many of those are now in staff hands and we move back to the community to consideration.

Liz Gasster: And that I think really depends on how much the drafting team does itself to the degree that you're going to, you know, start out saying as has been the case another working groups that the group would do the heavy lifting and if that doesn't happen then no we can't do it right away.

And the same thing is true with the report you might need from the Red Cross unless you want to defer anything else. We are, you know, we can't even start the issue report to write on the table right now and we're still trying to figure out what the schedule for those is itself.

Stephane Van Gelder: Thanks Liz.

Jeff Neuman: Just to clarify we're talking about the best practices not the Red Cross?

Liz Gasster: And I'm talking about anything new, anything new. Anything since the 6th of October that we've already just began. So the 22nd of September we had an issue report on the 6th of October we had two issue reports. I think I'm getting this right, those exceeded our capacity, have exceeded our capacity.

So anything new beyond that big, small, little, teeny, we cannot handle without taking off the table or just delaying the schedule in some way.

Stephane Van Gelder: Thanks Liz. Once again, as we have new councilors coming in that may not be aware of the pressures that staff around that at the moment I think as the reminder that Liz has just given is very useful.

And I'm sure we'll have this topic come up again regularly.

Liz Gasster: I know that you had said Stephane you particularly wanted me to emphasize this when we talked about it on Saturday...

Stephane Van Gelder: Right.

Liz Gasster: ...not to create any ambiguity about the situation that we're in. So I hope I've accomplished that.

Stephane Van Gelder: Yes, I appreciate that Liz, thanks very much. Jeff?

Jeff Neuman: There were tons of things that were October 6 just on this that was the issue report. There's (unintelligible) one on the 3 recommendations from registrar to 4.

Liz Gasster: Uniformity contracts.

Jeff Neuman: And uniformity contracts.

Liz Gasster: Yes.

Jeff Neuman: I'll throw it out there, I think the best practice is just more a higher priority of any of those three, but that's my own opinion. You know, if we have to work on any issues we have to prioritize them.

So I'll throw it out there, I would say of those four I'd put the best practice document, given all the discussions of law enforcement and others that we see teams work on this but security communities probably a higher priority than certainly (DCAR) is and completely a higher priority than uniformity of contracts which a lot of people actually voted against in this council because it does take a very small percentage of people know to get in issue report.

And given the way the council voted - which was half the council voted no on the uniformity of contracts, I would - if I were to prioritize them, which is a suggestion, I would say the best practices, I would say next would come the registrar request or (deeply) put those two, and then I would say the bottom two would be stakeholders and uniformity of contracts. I mean, if we have to choose.

Stephane Van Gelder: Thanks Jeff. Let me also - I know some of you are playing catch up so let me also explain that over the past year or more, council has looked very carefully at its prioritiza- at prioritizing its workload and a group was formed that did not come to a satisfactory conclusion that we could use.

But we had a discussion and I forget where it was but at one of our wrap ups last year - yes, last term - where the council expressed it's desire to see the leadership team take a firmer hand in maybe not prioritization but at least sorting through the topics that were ones that the council would like to see tackled with more urgency.

I actually think that situation has now moved on because of what staff is telling us and the message from staff is very clear. We've got a full plate. Nothing new is going to come on it - on our plates until we finish what we have.

So that is something that we must all take into account as we consider this very important question of prioritizing our work. I have Wendy.

Wendy Seltzer: Yes, I wanted to fully support what Jeff said. I think we've heard from - for many quarters the importance of these best practices and to think that even we - in the non-commercial side who may have disagreements on how some of the details should be carried out think that it's important to - the multi stakeholder process here - to show that ICANN and its GNSO council are capable of taking these issues in and providing a way forward.

So I would support the council's leadership prioritizing this discussion.

Stephane Van Gelder: Thank you. If there're no further comments on this I'll continue taking us down the order of topics, and just to let you know that I'm taking notes on action items out of this wrap up and I'll be sending those to the list,

Jeff, and we'll (unintelligible) as well, so we'll bring that together and then send that to the list.

So the next topic we have is what to do with the JAS final report which we threw a motion and voted to pass onto the board but which we have not formerly approved and we heard through the weekend sessions that we had and most notably the one we had with (cal prit) and the new gTLD team that they would like some direction from the GNSO council on that report.

So, once again, what do we do with that report and what direction do we want to try and get it (staffed)?

Jeff Neuman: I think I said this the other day, I just don't think the time is enough for the GNSO council to have any kind of uniform position on this. I think - I know the registry have prepared a statement I believe the non-commercial stakeholder group or has a unified position with the two constituencies.

I'm sure others are working on it as well. I've heard (it to say) the term of BC and others. So I think at this point it's not going to be a unified council position but more input from stakeholder groups, the constituencies, the ALAC and so forth.

And I think that's actually appropriate. There's not really a policy issue before the council on this. So I think we just let Kurt know that any input's going to come from the stakeholder group and constituencies.

Stephane Van Gelder: Mary.

Mary Wong: Jeff, I agree with that. I have one question maybe that's a little indelicate but perhaps somebody has some insight as to whether the board's going to vote on any of their recommendations this week. And I have a follow up.

Man: So that question, itself perhaps, I don't personally have any insight on when the board's going to vote on but it doesn't mean (unintelligible).

Mary Wong: I wasn't really expecting anybody to know.

Stephane Van Gelder: Okay.

Mary Wong: But I felt the need to ask because I agree with you, Stephane, that the board is looking for something from the council and so it's the best we can do - and I agree with you to the time and disparity of views in the community, the best we can do is maybe a short statement to the board to say that each constituency and stakeholder group has been getting feedback and will be as soon as possible and we are very happy that our constituencies and stakeholders group are taking the report seriously.

I think that would be something that we can usefully send even if there're two sentence by way of Kurt to the board today if possible.

Stephane Van Gelder: Jonathan and then Alan. And Wolf first, sorry.

Man: Sorry, Wolf, I just want to make a follow up to Mary.

Wolf-Ulrich Knoben: Thank you Stephane. Yes, obviously with regards to a comment from the council which I also understand is off - it is highly requested by the board to get that.

And it seems to make, in this case, really difficult to be done so because of (unintelligible) and discuss this with, you know, the constituency as well, whether to some extent to certain points, recommendations, the - you could find and agree to let me say, combine common on the council.

But let me say, for example, with regards to the reduction to fee which is essential to the needy applications which to all of you is the extent of a - this

is, for example, we would - that we could indicate with the board that there is a common view on that from the council's point of view that would help, I think so.

On the other hand, I would agree to Mary that saying, okay, then come back to the stakeholder groups and you will - and the board will get from them some comments on the (GSA port), so - thank you.

Stephane Van Gelder: Thank you. I have Jonathan next.

Jonathan Robinson: Thanks Stephane. I - for me so much of this seems to be about in part style as well as substance and I think the critical thing that I hope we as a new combined council can start to achieve is being seen to be constructive, forward moving responsive and all the sort of the antithesis of some of the mischaracterizations perhaps or - perhaps even at time relevant characterizations we felt before.

So following on from what Mary said, perhaps we could even say the council is not in a - and Wolf may be right - there may be some threads we can draw out but in addition to that, we could say the council has asked its constituent parts to respond.

So it's seen that - it's not - you know, we've asked for - we've taken the board's position. We aren't not responding to it. We just don't feel in a position to provide a unified response. But we haven't not acted on it and the way in which we're providing that is by - you know, so there's always a sense that we are actually responsive, productive and keen to assist the process wherever possible.

Stephane Van Gelder: Thanks. So are we looking at drafting a response that I would send to the board?

Jonathan Robinson: I don't think - I heard Mary suggest that we'll try to tease out that there may be one or two key areas that we could respond on, but I'm not advocating either. I'm just advocating that we - however we did it, we indicated we heard them and we are responding either whether it's gone back out to the constituents.

Stephane Van Gelder: If I take up your argument, which I think is a good one and trying to look more proactive and more constructive and the later route does seem to be the one to take, in the past we've had difficulty in coming together around such official correspondence out of the council and I think the point you're trying to make, if I understand it correctly is that we may have missed opportunities to give signs.

It doesn't mean that the background wasn't there but we may have missed an opportunity to show that. So if that's the case then perhaps we should look at, you know, drafting a short letter on this. Alan.

Alan Greenberg: I think a letter is advised. In other words, don't - a letter saying don't expect anything more from council. We have requested that our stakeholder groups respond should they feel it appropriate.

In an earlier meeting today, I was - someone mentioned that the board spent five hours yesterday in a workshop looking at JAS issues. Whether they're going to vote on it tomorrow or not, I don't have a clue.

I'd be surprised if they don't have some sort of motion on it. Whether it's definitive or not, I don't know. But regardless of whether they vote on a specific topic tomorrow, they are very actively working on it because the clock is ticking to release the new gTLDs.

So, you know, whether a stakeholder group has a week or two weeks or two days to respond, I don't know. But the window is really short. I doubt actually

whether we can find any common threads which people around this table can all say, yes, my stakeholder group constituency will support that.

I'm dubious we could do that. If we could, fine, but I think we need to send something saying, don't expect more from council but this is where you should hear it from.

Stephane Van Gelder: Thanks Alan. Thomas.

Thomas Narton: Let's just imagine the support program for needy applicants is not implemented prior to the opening of the application window. And let's then look at who might be blamed for that as it plays.

I think the GNSO should not be seen as a roadblock in that process. So I think it is important and the new council - I haven't been following the internal discussions that you had earlier on, but I think if there is some common ground to demonstrate in writing that the GNSO is in support of needy applicant support, as such, i.e., when it comes to reducing the application fees, I - then I think that would be something in itself already.

While adding what Alan said that, you know, a full response from all groups could not be achieved so far and that there will be individual responses maybe at a later stage but I think we - there needs to be a firm statement that this program should go forward in its implementation phase.

Stephane Van Gelder: Okay, Zahid.

Zahid Jamil: Yes. Well, I think that's very positive and we should say that, that there should be support for JAS and the fact that there should be - underserved markets should be given support but at the same time, we should also maybe mention that (unintelligible) I know this is my constituency position, that if the JAS report is interpreted to lowering any technical standards - and if it isn't that's fine - but if there is any interpretation by the board that it lowers any

standards, then that should be avoided because we don't want to have that, you know, create a threat, et cetera.

So maybe we can put it (count it) in words which are, you know, a little palatable to the whole of the council. That would be useful.

Stephane Van Gelder: Thanks. If I just summarize where we're going right now, we're going towards drafting a short letter in which case I will call for a volunteer to start drafting it if possible. And I know you want to do it. But let's hear Ching first.

Ching Chiao: I will just pass because Thomas and Zahid covered it.

Man: So Stephane...

Mary Wong: Fine. It will be very short, probably rather bland and I'll try and do it this afternoon if - because following from what I said, I think it is important that we send something to them tonight.

They are going to talk about it. My question is whether they're going to vote on it. So if I could ask my colleagues to, when they get something from me, to respond expeditiously, that would be very helpful. Thank you.

Stephane Van Gelder: Thanks Mary for doing that. Zahid.

Zahid Jamil: That's (unintelligible). Mary, I would be happy to join in you in drafting that.

Stephane Van Gelder: Yes.

Wendy Seltzer: This is Wendy. Rafik is noting to us that he's trying to speak from the phone bridge. Do we know - can we hear him?

Stephane Van Gelder: Can we hear you Rafik?

Rafik Dammak: Yes, Stephane, I'm trying to speak. That's why.

Stephane Van Gelder: Can you speak again? We can't hear you.

Rafik Dammak: Yes, it's Rafik.

Stephane Van Gelder: Now we can. Please go ahead.

Rafik Dammak: Okay so, just what - try - I wanted to say that - on that last portion about the JAS final report, there was a an amendment, friendly requested from Jeff that the GNSO council to have the opportunity to send its comments to the board.

So I think - so maybe I am coming late now - but I think we need to send a letter. I'm not sure that we can have consensus about the points. I don't really agree with, for example, with Zahid's remark about (loading) technical requirements.

But at least to show some support to the working group work and then to - maybe to redirect the board to comment from the stakeholder groups, at least the NCAG did that and so that's what I want to say. Thank you.

Stephane Van Gelder: Thanks Rafik. So with that, we have a path forward and Mary has kindly volunteered to help with that. Wolf as well, I believe. So we'll move on to the next topic which is a discussion. I want to ask to be able to discuss the - some of the topics that came out of a meeting that leadership team had with the NomCom earlier in the week and sent the council a short recap of the notes that I've taken from that meeting.

And in that meeting the NomCom made it clear through us that in their work at both selecting and assigning NCO NomCom appointees to the council, they were now under obligation to have discussions with the GNSO council so it wasn't something - I mean, it's always something that they've wanted to

do but now it's something that they are under obligation to do and if those discussions can't take place, then they would report back in the - when they make their assignments.

So I just wanted to touch on that, get some feedback possibly from you on how we should approach that with the NomCom. Wolf.

Wolf-Ulrich Knochen: Thank you Stephane. I would like to say in general that the whole process, how it worked in the past, it must've been a big problem, big issue for those who are coming in for the (UNTA) I would say, because you know, if you are - I (offer your opinion) to come in here or you are already in and you think about and think something is (severed), and then it turns out that the process didn't work which as been.

There was a process but a - one of the major bodies, NomCom did not take care of all of that. It must be really critical so that's one point, to say that very clearly.

In - I learned from that as well. Right now they are obliged to deal with that in the future. That means if I understand that correctly that the council in this respect shall not have any right or any obligation now to act on this in the future, just to accept what is coming on - out from the NomCom. That's my understanding on that.

So the only question from me is that then if that is the case or how we can then start to incorporate those who are coming in and to help them to find their places, the right places here or told they will be allocated but they have to learn how to educate and perhaps into a system to understand what's going on.

So - and this is what probably we should think about or how we could deal with them – because I understand people who are not allocated to any

specific stakeholder group or specific (part of the constituency) for example. They would say they may have problems to find the positions here.

And so, my suggestion is, well, that (successfully this has to be) in the stakeholder groups. They should come up with some ideas or (we don't) take this up within our constituency as well. Think about that and then these ideas should be put on the table before the next round which is in one year.

So, we have some time but it is not too much time as I understand because now only people are thinking when the event is very close. Thank you.

Stephane Van Gelder: Thanks Wolf. Any further discussion? (Carlos).

(Carlos): Thank you Stephane. I have nothing to say more than I said in my mails during the last two weeks. I think my position is clear. I think the whole community needs to know how is the procedure (taken) by NomCom to the (unintelligible) every NomCom appointee needs GNSO houses and how will be the (resolution).

And maybe looking past. The question is why our chair and vice chairs didn't ask the NomCom or NomCom appointee like by (last set). Thank you.

Stephane Van Gelder: Well, I can begin to answer that and we have the chair elect of the NomCom here who I know wants to say a few words. But because you mentioned the leadership team, I feel I should address some of those points and add a bit of history and context to the discussions.

And the assignments for the NomCom appointees is something that's relatively new because it's coming out of the new structure of the council so we basically had to face this situation twice.

And both times we have not had direction from the NomCom whom I believe have felt that the GNSO council itself working with the NCOs were able to

work out the best assignments that would suit both the houses and the appointees.

And I have to say that in the past up to this year, that system has worked exactly like that and the appointee themselves have made their wishes or requirements known and have talked to the houses directly to be assigned.

So I think we were slipping into that system and the clarifications that have been brought up this year have meant that we are changing and looking at now sticking to the bylaws as the note from general council said we should.  
Rob.

Rob Hall: Thank you for the opportunity to perhaps clarify. My name is Rob Hall. I am - as of Friday, the chair elect. I'll be chairing the 2013 NomCom, (Vend), of course, chairs this one.

This is a great discussion. Let me perhaps clarify some things. Steph, you're sort of right. The bylaws changed last year with respect to the nominating committee so it's not that the previous nominating committees were ignoring this, the ATRT recommended that the nominating committee begin assigning the specific houses.

In the middle of last year's nominating committee, the bylaws changed. The committee at the time decided to continue on the bylaws of when they were struck which were in place at the last AGM which is why the committee did not appoint to the individual houses.

It became apparent through request of the general council that we should do that. The general council says, "Yes, the bylaws are enforced now even though they weren't when you started your deliberations, so it is your duty to appoint."

So that is why we regrouped the last year's nominating committee which ends its duties tomorrow. The new nominating committee sits tomorrow. Just to clarify I think something Steph said earlier, the - those same new bylaw changes require the nominating committee to go out to the community of which, of course, the GNSO is one, and ask its advice on what skill sets we should be looking at for the board members and we read that as for all the members we appoint because we appoint to the GNSO, the ccNSO and the ALAC.

So we have formally done that. You may be getting a letter from us to request it even more formally. I heard some comments about timing so let me be perfectly clear on what they are.

This is the first year that we will be appointing where we have knowledge before we ask for candidates to your individual houses. We're looking for what questions should we be asking, what criteria and that can be on a house level.

For instance, one of your houses may have different criteria for what it wants in its house then the other, and as a whole, you may have some comments on what the non-voting representative criteria should be.

We're happy for those. We're desperate for those. Applications open in December typically and we're planning on following that again this year. They close in April. So the time to get a feedback is between now and December as to what qualities we should be looking for because we'll include it in the application process.

These candidates will be picked at the Prague meeting which I believe is next summer and will be assigned to a house on the announcement when we pick them. So that's the timing of what we're deciding so if you want us to consider criteria for candidates before application, the time is December.

If you want us to consider criteria when we're actually picking them after we have the candidates, that time would be before Prague, and I can assure you with the new processes of the first year under the new bylaws as well, where there is a chair elect, I have the privilege of serving in that.

So I will be coming to you much sooner. So the old bylaws prevented it. We had a chair and past chair. The chair was not allowed to reach out to you prior to actually sitting so the previous chair had to do the work as (Adam) has done this year.

I'll start the process of who are your candidates for the NomCom? What are you looking for, probably in the spring or summer so you'll see it many months earlier. So that's all part of the ATIT recommendations.

I think I've answered most of the questions you clari- you touched on. If there's anything else, I'll be happy to answer it to the best of my ability. Thank you sir.

Stephane Van Gelder: Rob, thanks very much for those great explanations. Alan.

Alan Greenberg: Yes, this doesn't affect the current situation but just to get the history right, in the first round after the reorganization, the rules council adopted was if the three NCAs and the two houses could come to an agreement as to how they were assigned by a certain date, that will be assigned as such otherwise a random selection would be drawn.

There was agreement but not by the date and a random selection was used which incidentally changed radically the - what they had come to an agreement on.

Stephane Van Gelder: Thanks Alan. Any further comments? Okay, we'll continue discussing the topic and seeing how we can interact with the NomCom. The next top- I just want to just go down the list a bit, just make sure we cover

some admin stuff that we absolutely need to cover as we move into this new term.

First perhaps is the schedule for our teleconference meetings for the upcoming year. We tend to - well, we don't tend to, we set the schedule in advance. Glen, I forget where we were up to in the current schedule. What is it?

Glen DeSaintgery: January.

Stephane Van Gelder: So we're up to January. Glen will suggest a schedule for the next six months after that and we are currently on a four-week -- one meeting every four week basis.

We had, we started last year with one meeting every three weeks, our work load was very heavy, it got lighter as we worked through some of that, we then decided to have the meetings every four weeks and that's what we're currently working under so this is really just an information point. If we don't feel the need to change anything,

Glen will just prepare the agenda or the proposed scheduled, so for the first six months of 2012 if we do feel that we need to change anything then please make that known on the list at some point before the end of the year.

Go ahead.

Man: I had a question and I cannot remember which meeting this was, that we'd gone back and said well, we maybe want to change drastically the sort of time zones that we use and I think what happened was we sort of split it, so we kept the current mechanism and then there was a different time zone slot that we started using.

I just wondered that other new time zone slot that had been used, for me personally, and I don't want this to influence anybody else's decision is like 2:00 in the morning or something I just wondered if that was working out for people or not and you know, or you know going back to the original situation or just wanted to get people's views on that.

Stephane Van Gelder: It's working out great for me.

Man: Yes I'm sure Stephane.

Stephane Van Gelder: Now a bit of history there, but this was a little group, informal discussion group that I had the pleasure of leading when I was vice chair and it turned out by some advance mathematical formula and calculations that the best times were the times that were the fairest also happened to be good times for Europe but that's a pure, you know it's a total coincidence, so I do sympathize.

If we want to revisit the times then you know, that is by no means fixed let's put your question out there, let's not try and answer it now and if people have a problem with the current times then yes, then we'll try and well please say so and we'll look at it again I think that it is important that people don't have meetings at 2:00 a.m.

Man: I'd appreciate that but I don't want to sort of let that influence everyone else's decision, I don't want that to become an inconvenience but you know it would be nice if it's possible to do something about it. Thanks.

Stephane Van Gelder: Well we've lost the Australians haven't we? Well no we've got (Joy) now, yes so we still, so we still have to I remember that when more seriously when we looked at the times because there was that Asia-Pacific or more specifically Australia and now New Zealand I think (Joy) is from New Zealand to get that kind of equality of things we had to look at those times.

Man: If it was just like a couple of hours, two or three hours earlier just like that much maybe it'll make a difference, so just wondering, thanks.

Stephane Van Gelder: Okay. I have Marika.

Marika Konings: Oh I was just wondering if it would make sense for me to see where the new council members are located to see that balance of what is, you know, fair has changed, it might not have changed at all but maybe there is a need some other times that will, I see Glen shaking no so.

Stephane Van Gelder: Well no I think it's a very good point and perhaps we can let two or three meetings go by and see where we are, (unintelligible) and Zahid perhaps you can remind me of that then so that we can try and work out a better time for you. Mary?

Mary Wong: Just tearing myself away from drafting to note that Asia-Pacific is more than just Australia or New Zealand. Thank you.

Stephane Van Gelder: That's why I corrected myself Mary. You were obviously drafting at the time so you missed that but then I said Asia-Pacific and more specifically Australia. So that's one thing.

The other admin stuff that we need to cover is the, our preparations for Costa Rica the next meeting and traditionally we have one of the two vice chairs handle the agenda for that meeting. It is a big job, Jeff has done it this time, once again thanks very much for doing that Jeff.

And things like the differences in the new things that we tried yesterday in the open council meeting come out of that work, so it's not only finding time slots it's also trying to make sure that the agenda for the whole week, including the weekend sessions is as effective as it can be for both the council, the councilors and the community. So really on this I turn to my two colleagues to know who wants to do this.

Wolf-Ulrich Knoben: If I may as long as there's no Spanish is needed in preparation for that so I could do that.

Stephane Van Gelder: Thanks. Wolf so thank you very much for volunteering, I think judging by the looks that you were getting from Jeff and I would have been much the case of volunteering but rather understanding what was being said but well done.

Jeff Neuman: But just to add I didn't understand anything here, I still don't understand Stephane so it's okay. Not understanding what -- is not a barrier.

Stephane Van Gelder: I'm still working on Jeff's humor. There was also yes, sorry, one other thing that came out of the presentations for the, from the constituency and the stakeholder groups that we had in yesterday's open council meeting.

First of all perhaps we might just take a few minutes to find out if the council thought it was useful we heard from some of the constituency leaders that they thought it was possibly not the format that they desired, not necessarily that the idea wasn't useful but perhaps the format ought to be changed, and one of the things that they, that they suggested was that a list of questions or topics be posted or sent prior to that discussion so that they had, they could have a better idea of what was on the agenda.

So I think a feeling of is that useful, what do we want to do with that might be good. (Robin)?

(Robin): Thank you. Yes I thought that that forum in the beginning of the meeting was not the best use of council's time, unfortunately it just kind of seemed like a lot of the speeches were becoming more of commercials for their groups and it just seemed to go on and on.

And I think not that, excuse me, not that that's not appropriate someplace else but you know council has such limited time together that I would think it would be a better use of council's time to really focus more on policy work and if something like that should go forward I would really limit it to three minutes and literally cut the microphone off after three minutes.

Stephane Van Gelder: Alan.

Alan Greenberg: My suggestion may have the same net result, I found it rather silly that we were given their detailed agendas including when they moved from one room to another, and when they stopped for bathroom breaks or whatever like that I would, I really found it useful however to hear what the hot issues were and any specific outcomes that came out of their meetings.

Stephane Van Gelder: Zahid.

Zahid Jamil: Thanks. I think because it was new for everyone, and I have to be honest our stakeholder group had, or at least my constituency hadn't really realized this was going to be necessary until actually the last moment and you know a day early or so, and so that's why maybe you didn't get sort of a substantive responses necessarily and so it's a new thing, so to that extent maybe next time you might find much more sort of cogent, substantive responses.

Again I agree it should be limited to a certain period of time but it seemed to be useful for newcomers who were going to attend the meeting to get them interested to understand that the council wasn't just the council but there were other groups involved in this, so maybe that's useful.

Stephane Van Gelder: Thanks very much. Ching.

Ching Chiao: Thank you Stephane and I, first I when I saw this new arrangement I thought this is because of the AGM than we will have this type of forum and so I'm

just putting in thoughts here are we going to do this, I mean every time or this is, I mean for the AGM.

I mean I thought this is, I mean useful to understand what the each constituency or each groups are doing or maybe for example I mean so every, every AGM we can have set up a one-hour or one hour and a half session for the updates and for the other public meeting we can, you know go through I mean our, I mean the current for (unintelligible) so just (unintelligible).

Stephane Van Gelder: Thank you Ching. I have Konstantinos on.

Konstantinos Komaitis: Yes. Just very briefly having had some sort of a double role in this meeting I thought that as (it said in the council) it's very interesting to circulate the kind of issues that took place during the constituencies because people are not able to attend those meetings and a lot of very important stuff is being discussed in those meetings and you might, you know we also prize when we hear that there is common ground so people might find common ground on topics, so I would focus on the substance rather than tell us what you did and limit it as well as much as possible. Thanks.

Stephane Van Gelder: Thanks very much. Jeff.

Jeff Neuman: Yes. One of the purposes was that usually at these meetings when you go to the weekend session you have the constituencies or stakeholder groups say well we haven't discussed that yet, we're going to discuss that on Tuesday on constituency stakeholder day.

So the thought behind it was perhaps we could emphasize you know those topics where we couldn't provide a definitive opinion on Saturday or Sunday at that meeting so that everyone knows okay, this is what the group discussed and this is, you know this is what we said Saturday but now we're

at this place. And perhaps what we could do is, wow. Someone's trying to drill into here.

Man: Or out.

Jeff Neuman: Or out. Yes.

So I mean I know people like advanced notice and I don't know how people would react to this or those stakeholder group chairs would react to this, but is it possible to develop the listed topics during the weekend where we've heard from people, look I still have to check with my stakeholder group for my constituency, after that Saturday, Sunday then develop the list of a few topics that we want to hear back on so that they can go into Tuesday knowing that that's what they're going to report on on Wednesday, I don't know if that makes sense.

Jonathan Robinson: Quick follow-up from, it's Jonathan Robinson, quick follow-up from Jeff and what others have been saying here, I mean it sounds to me like we could potentially continue with this as long as kept it substantial and there's really two bases on which that might be substantial. One is what's really exercising or challenging that particular stakeholder group or constituency, and the other is, as Jeff just suggested, areas where we might see clarity.

And in fact in our dual meetings with other groups the GAC or the board or whatever that's quite often the format that we structure around, it's the board would like you to know this, what would you like to know from the board, and in a way that two-way composite should be able to be something we can work with and yet still keep it tight.

Because I think that's clearly the challenge is not making it seem like some kind of long-winded report back but rather these are the three things that really seem to be challenging us and by the way we've heard from the council that you would really like to know about these two or three things. Thanks.

Stephane Van Gelder: Thanks. Thomas.

Thomas Narton: I very much agree with what was previously said, i.e., that we don't want to hear repetition of agenda or (unintelligible) what have you, still I think that this is an excellent opportunity for the various groups to specify what they're actually working on at the moment that's one thing, and where they need community input to talk about outreach.

I think this is an excellent opportunity to advertise what policy work is underway and bring to the attention of a broader audience where community input is required. And I also would like to support the idea that the topics that are being discussed on, over the weekend I think we should give homework to the various representatives who report back on Wednesday.

And if that takes place I don't mind it to be extended from three to five minutes as long as there is substance.

Stephane Van Gelder: Thanks. Mason.

Mason Cole: Well speaking at an immediate former chair of the stakeholder group I think I agree with what Jonathan said, I think it can be useful and substantive provided expectations are set about what the council needs to hear.

I'm not sure that, I'm not sure that, I'm not sure I had a clear enough understanding of what the council was looking to hear from the registrars before I was asked to give an update on the, on our day's activities, so perhaps the idea might be that when we ask for updates from chairs we do so, give them the opportunity to do so maybe only if there have been significant outcomes that would be of interest to the council, maybe that would be a good use of time.

Or take the board format that Jonathan suggested, I thought that was useful as well with the board, but just a way to focus the time more sharply.

Stephane Van Gelder: Okay. Any further discussion on this, we're in rapid danger of running out of time so I'll once again send a few points, main points from this discussion and Wolf perhaps you can take those on as you plan for the agenda.

One of the topics that we need to discuss today though is the cross TLD registration scamming and domain (coding) issue, I'm sure you all saw the response that we got from FSAC to our query sent from the FSAC chair, (Patrick) and so now we need to consider what the next steps are for the council following that response.

Marika, do you want to say a few words before I open it up? Sorry, putting you on the spot a bit but you are the expert.

Marika Konings: Yes. So basically yes, we (unintelligible) going to be (unintelligible) but you know we don't think that's within our capacity or in our role to do so basically the caution for the GNSO council is is there something the GNSO council would like to do itself, should the GNSO council just acknowledge that at this point in time there is nothing really that can be done.

Because I think that the (rough) recommendations specifically ask for monitoring of the two issues, but at the same time acknowledge that of course at any point in time if new data becomes available anyone can bring those issues back to the GNSO council again for review or consideration, or if there is any kind of other option that should be explored in order to have someone or someone, something monitoring those kind of uses.

Stephane Van Gelder: Perfect.

Man: So I'm not a technical person but I had some ideas provided to me and I'll be honest I would like to sort of see if there's a possibility, one for us to go back to our constituencies and sort of chew on this for a little while and come back and see what we could do here number one.

And number two having said that there were a couple of ideas and I just wanted to see if staff could come back and let us know if there was a way to have this happen, not saying that this should happen but is this an option even to discuss, which has to do a deep dive with you know, CCTLD members and see how they have addressed this issue or they'd address this issue, one.

Two, if it's possible for ICANN to create an incident request on Internet.net to begin tackling this issue so it starts collecting the data, if it's possible, I don't know if it going to be possible but if there is a mechanism to do that and then obviously the next logical step is having registrars include that as an incident category in help or something else.

So if we could just ask Marika to come back with the, some sort of response as to is it even possible or etc., that may be helpful and then we can take it back to a constituency to see what positions you want to come back with.

Marika Konings: I can definitely look into whether that's possible but I think it doesn't you know, address the (product) question because even if we would start collecting data, you know who's looking at that, who would be analyzing it, who would be taking decisions and what would we be asking, what are we asking for to specifically on the I think across TLD, across TLD registration scam you know I don't think it has a set definition.

And I'm not really sure what we would be asking people to submit, you know we did have some good discussions I think with the CCNSO on this particular issue and also on the it seems closely linked as well to the fake renewal notices and I know to have been some offline exchanges or discussions I

think especially with (Byron) who had some ideas as well and as you know there is this drafting team going forward on the fake renewal notices which will request information from the registrar stakeholder group.

So I don't know if anything that, in that discussion might as well relate to this specific issue or might come up but I'm happy to check on that but I think still, you know there is this broader question of you know, what do you want to do with the data and then what are you exactly looking for.

Man: I think that's fine, we'll, I'll have to go back to the constituency and see what we can do as far as what to do with the data once we have it, you know or who's going to monitor it but in the meantime if it's even operationally possible if, and I don't want to burden the staff but if there's, you know a quick response or informal response to something that would be very helpful.  
Thank you.

Stephane Van Gelder: Anything further? Thomas.

Thomas Narton: Just one point I, it struck me quite odd to read in the German press in one of the most prominent technology blogs that the registrars had given in to law enforcement requests and that there will be the requirement for accredited privacy service and such, so the press is already reporting to the general public that the wish list of law enforcement will be implemented.

And I just wanted to bring this to the attention of this group, maybe there have been similar experiences in other countries, but I think we need to be utmost cautious and we need to step in if necessary to explain what's, what the true story is behind it.

Stephane Van Gelder: God, and I thought we were going to end on time. Jeff.

Jeff Neuman: Well after that lead in, just a question have we gotten clarification from Kurt as to what he meant when he told the GAC that the registrars would address the high priority items?

There was a, there was a during yesterday's meeting there was a discussion as to whether Kurt meant high priority in the very generic sense of whatever is high priority, or whether as the IPC had interpreted it yesterday, whether it specifically meant the high priority listed items in the RAA, whatever that report was named, and I screwed it up yesterday, but that's what I meant.

So there's two different interpretations and I want to make sure before we all leave here that we understand exactly what Kurt meant.

Stephane Van Gelder: Thanks. Do we, (unintelligible) if staff also can chase Kurt up that would be. Oh you have an answer.

Man: So I spoke with Kurt yesterday, the answer is the negotiations will not be focused specifically on only high priority items. The high priority items as defined by the community will be addressed but not exclusively and certainly won't be limited to the law enforcement requests either, so I'm quite certain the press is already starting to get it wrong and expectations are incorrectly being assumed, but those are the facts as we have them.

Stephane Van Gelder: Thanks. Anything further? In which case it looks like we will be able to end on time. Mary?

Mary Wong: Yes I'm doing this on purpose Stephane.

Stephane Van Gelder: I know.

Mary Wong: No it's actually just to say that I sent the very rough draft to Wolf-Ulrich and hopefully we can get working on that, hopefully something will come to all of you as soon as we can about the letter to the board.

Stephane Van Gelder: Thanks again for doing that and taking that on so quickly, that's great. Thank you very much.

So, all that remains for me to say is to thank you all for your participation this week. It's once again been a pleasure to work with you all and safe travels home, back, and avoid the strikes if you can, those of you flying through Paris, it's the first time that France has ever been on strike, it never happens normally and I hope to see you all very soon and we will be talking again at the next teleconference meeting. Liz.

Liz Gasster: Had a last minute thought that we should ask about the issue report on the RAA and what the council would like us to do. Should staff continue working on that issue report? Has it been superseded by subsequent events? If the answer is yes we should proceed are there any specific instructions for how we should proceed given what's, you know subsequently been discussed?

Stephane Van Gelder: Yes that's a good point which I keep on forgetting about so thanks for making it, perhaps we can take that offline now unless there are responses that people want to give right now. Seeing your hands up we'll take that.

Wendy Seltzer: So Jeff would it be fair for staff to then assume that until we get more insight we should hold off on starting?

Jeff Neuman: Yes.

Wendy Seltzer: Okay. Thank you.

Stephane Van Gelder: (Unintelligible) say so.

Man: Yes I'm not sure how politically that'll be seen if we just stop working on those items, we already voted on the issue report, if we just stop working on it and

while the registrars are talking to ICANN, I don't know. I think it's worth a discussion because we did as a council approve it and if we get to Costa Rica and there's not a resolution to that I don't want to be, I don't want to be in Costa Rica in front of the GAC asking well you guys approved to do an issue report back in October and you haven't done anything, so I don't know.

Stephane Van Gelder: Alan.

Alan Greenberg: I would suggest we defer, we ask staff to informally ask staff to defer until the next council meeting and we can bring it up there formally.

Stephane Van Gelder: Wendy.

Wendy Seltzer: Yes I was going to suggest even that we make a statement that we request staff to focus their time on assisting and progress rather than on drafting the issues report if there's some way to phrase that to say that motion is being enhanced by stopping this work or by putting this piece of work on hold.

Stephane Van Gelder: Any further comments? Mason.

Mason Cole: Well after our experience with the GAC on Sunday I don't want to be in front of the GAC in any kind of mood other than a good one, but as, I mean I was a proponent of this motion as a way to get binding and forceful policy put into place for registrars, but I, you know I think I guess there are a couple of options we can take.

One is we can talk informally with staff about the likelihood, I believe it probably is likely that the three parts of the registrars obligation in the motion will probably be addressed annually in negotiations, so I'm certainly in favor of saving the council and staff work.

There's a part of the, there's a part of the motion that asks for information from law enforcement, I as a registrar I would still like to have that

information, it'll inform the things that law enforcement wants us to do. Maybe there's another way to get at that information.

So but if the registrars discuss with staff the best way to go about handling that, and maybe there's an opportunity to take the motion and the work off the table.

Man: Just to add a word of caution, we heard a GAC member, in fact the GAC basically stated they were confused by how we would actually enforce that against the law enforcement so just keep that in mind and just mention that. Thanks.

Mason Cole: We're not looking to enforce anything in law enforcement it's merely an information request, I mean I would like to make it known to the council that very often information is requested of registrars that we simply don't have, and this is a case in the reverse.

There's information needed to fulfill the questions posed to us by the law enforcement community, we're simply asking for information. If they decide they don't want to give it that's their prerogative.

Stephane Van Gelder: Anything else?

In which case we are adjourned. Thank you very much and see you all very soon.

Operator this session is now closed. Thank you.

Coordinator: Thank you for participating in today's conference call. You may now disconnect.

END