

Gac-board-joint-wg-1-07mar10-en.mp3  
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Transcribed 03/15/2010 LNC

Jorge Cancio Melia: From the Spanish Ministry of Industry.

Bo Martinsson: Good morning, my name is Bo Martinsson from Sweden, the National Post and Telecom Agency which is the regulator.

Maria Hall: Good morning everybody my name is Maria Hall and I'm working for the Minister of Enterprise, Energy and Communications. I am a Deputy Director for the Division of IT policy.

Jayantha Fernando: Good morning, I am Jayantha Fernando, Director and Legal Advisor of the ICT Policy Agency for Sri Lanka.

Ali Said Mdahoma: Good morning everybody. My name is Ali Said Mdahoma. I am the Secretary General of the Ministry of ICT of Comoros.

Mary Uduma: Good morning. I am Mary Uduma from Nigeria, Office of the Presidency.

Ibukun Odusote: My name is Ibukun Odusote, good morning. I am Permanent Secretary from the Presidency in Nigeria.

Ram Mohan: Good morning, my name is Ram Mohan, I'm with the ICANN Board.

Vanda Scartezini: Good morning, my name is Vanda Scartezini, I'm from Brazil. I'm a liaison to the Board of ALAC.

Jean-Jacques Subrenat: Good morning. I am Jean-Jacques Subrena from France. A member of the Board of ICANN and a member of the Joint Working Group between Board and GAC.

Janis Karklins: Janis Karklins, I'm from Latvia, I'm Latvian Ambassador to France, happen to be also Chair of the GAC.

Ray Plzak: Ray Plzak, member of the ICANN Board and Co-Chair of this Committee.

Heather Dryden: Good morning, Heather Dryden, Co-Chair from the GAC side and Canadian GAC representative.

Elham Omidvari: Good morning, I'm Elham Omidvari from Iran Regulatory Affairs.

- Ansari (sp??): Good morning everybody, I am Ansari (sp??) from Iran, Information Technology Company.
- Hadim Aliebaras (sp??): Good morning everybody, I am Hadim Aliebaras (sp??), General Manager of R&D Information Technology of Iran.
- Bertrand de la Chapelle: Good morning, my name is Bertrand de la Chapelle; I am the Special Envoy for the Information Society in the French Foreign Affairs Ministry.
- Trish Abejo: Hello everyone, I am Trish Abejo, representing the Philippine Commission on ICT.
- Jacques Abild: Good morning, my name is Jacques Abild; I'm coming from Denmark, representing the National IT and Telecoms Agency. Thank you.
- Peter de la fold (sp??): Good morning, it's Peter de la fold (sp??) from Australia representing the Department of Broadband and Communications and GAC representative.
- Chui Shutian: Good morning, I am Cui Shutian from China Ministry of Industry and Information Technology.
- Hubert Schoettner: Good morning everybody, my name is Hubert Schoettner from the German Ministry of Economics and Technology. Thank you.
- Jan Vannieuwenhuysse: Good morning everybody, I am Jan Vannieuwenhuysse, Belgium. I work for the Belgian Institute for Postal Services and Telecommunications.
- Ornulf Storm: Good morning, my name is Ornulf Storm from Norway from the Norwegian Post and Telecomm Authority.
- Aslaug Hagestad Nag: Good morning, my name is Aslaug Hagestad Nag; I'm also from Norwegian Post and Telecommunication Authority, Director of Internet and Security.
- Thomas de Hann: Good morning everybody, Thomas de Hann from the Dutch Ministry of Economic Affairs, representing Netherlands. Thank you.
- Tony Teng: Good morning everybody, my name is Tony Teng. I am from Ministry of Transportation and Communications, Taiwan.
- Tsai Cheng Mao (sp??): Good morning, my name is Tsia Cheng Mao (sp??), I'm from Taiwan and from the government sector. Thank you.
- Janis Karklins: So thank you. Do we have others who are from other countries, please introduce yourself? Who are not at the table?

Unknown female: Good morning everybody, I am Gry (sp??); I am represent party from Ministry of Communication and Information Technology of Indonesia.

Janis Karklins: Welcome. I think if you would be so kind to come to take a seat at the table. That would be very good and useful.

So I know that we have also representative of WIPO, I talked to him before. Here he is.

Brian Beckham: Good morning. Brian Beckham from WIPO.

Janis Karklins: So and I see our Swiss colleagues are coming in. And remotely we have Suzanne Sene from the United States and GAC Representative from Japan following the meeting.

Today this morning we will have a joint session with the Board and in the afternoon we will have a session on new gTLDs.

Taking into account that staff is invited to the Board workshop to present, to make a presentation on new gTLDs, we were talking that maybe, if we want to benefit from staff presentation of the new documents which have been posted before this meeting, that Chris could come to the GAC and maybe 1:30pm. If we would start our afternoon session not at 2pm but at 1:30pm, with a staff presentation on the new documentation which has been posted, that could be, we could benefit from that half an hour presentation.

If that's acceptable, then I'm turning the microphone to Heather and Ray, two Co-Chairs of the morning session.

Heather Dryden: Good morning everyone. Thank you for coming this morning to participate in the Joint Working Group on the review of the role of the GAC.

We have another version that's been circulated which is a proposed Version Two of the report and this integrates comments that were made by France on the teleconference and comments that he had circulated, that France had circulated to the Joint Working Group List. There are also bits and pieces that have been added from other objectives outlined in the report. And so this morning we will invite those that had offered to draft text to give us an update and hopefully generate discussion on those items.

And I will turn over to Ray who will give us an agenda today, of sorts, what issues we are going to tackle in what order and what we are seeking to do for each of those this morning.

Ray Plzak: Good morning. Instead of following the outline of the report and discussing each objective in turn, what we're going to try to do today is focus on some

particular aspects and areas in those objectives. And to that end, we hope to begin with the presentation by the U.S. regarding liaisons that U.S. has volunteered to provide text in that area.

Then we will move on to a discussion of the travel portion of the objective where the GAC is receiving travel support from ICANN.

And then a discussion of the Secretariat.

The last two items that I just mention, there will be papers for them. They are being printed right now and as soon as they are available, they will be distributed to the members.

After the discussion of the Secretariat, we will then be taking a fifteen minute break.

Each of those three topics this morning we are planning on allotting approximately 30 minutes per topic. 30 minutes approximately. Some of them may be shorter some of them may be a little longer but the idea is that before the break, we will have completed those three topics.

Then following the break we are going to try and bring focus into the areas of advice to the Board and relationships with the community and the PDP. And as members are all aware, this particular area does need for us to come to some focus on it so we can actually come up with some really concrete recommendations as we finalize our report.

So are there any questions on that agenda? Okay.

Suzanne, are you there?

Suzanne Sene: Yes I am Ray.

Ray Plzak: Can you go ahead then and proceed?

Suzanne Sene: I'd be happy to but I think I may have to offer apologies because Heather I'm not entirely sure I have Version Two so I'm not entirely sure that my rough draft is part of that?

Heather Dryden: No, the version that was circulated in hard copy, I'm not sure that it was circulated to the Joint, wait, it wasn't, Okay. I can someone shaking their head. Okay, so there is some text in the current version of the report that was text proposed by France but there is not a contribution there from the United States. So if you're comfortable with giving us an update and outlining main points there, then we can proceed on that basis. Also, I will ask Max to please

circulate the version to the Joint Working Group. My apologies for that oversight. So Suzanne, would that be okay?

Suzanne Sene: Sure, absolutely. And thank you. And apologies to the group for not seeing my rough draft. I can certainly walk people through what I had attempted to do and had been sent, at the present time, solely to other liaisons to get their views. And thank you to Stefano who I don't believe is in the room but he did respond to my e-mail, so I was holding off until today's discussions to then update that draft.

But what I attempted to do was to combine Objectives Two and Three regarding all of the liaisons that the GAC has.

So the first two are fairly significant. We have a GAC liaison to the ICANN Board which is, of course the GAC Chair. And the second had been the GAC liaison to the Nominating Committee and at a certain point in time and I'm not entirely sure I remember, I believe it was until 2007, Jayantha is the room so he can help correct me if I made any mistakes here.

We did have a liaison to the Nominating Committee and then determined that there were some challenges presented to that particular liaison due to the work procedures of that committee for confidentiality and the need to hold the information proprietary, so it created a bit of a challenge and the GAC withdrew its liaison at that time and probably needs to revisit it.

But why don't I lay out some of the questions that I think we might want to answer vis a vis these first two liaison functions. So this is Objective Two, if I may.

It has the liaison function effectively met the needs of the GAC. From a GAC perspective vis a vis the liaison to the ICANN Board, I believe we would all agree that the answer would be yes. We don't know what the Board sense is. So the second question would be, "Has the liaison effectively met the needs of the Board?"

The third question would be, "What improvements if any should be considered that might improve the effectiveness of the GAC liaison to the Board?"

So this is an outstanding question pending additional input from the GAC Chair, GAC members and of course our Board colleagues, so that we could write up a little overview as to where we think we all are at the present time and whether we think there might be some changes that we could all consider as a group and advance as proposals for consideration.

So that takes care of the GAC Chair.

On the GAC liaison to the Nominating Committee, due to some of the complications of that particular role and complications on the GAC side, I think we all know from our perspective, it's a rather delicate situation to have a single government try to represent – it's an imposition on them if you will – to try to represent the views of every other government when we don't have a good means to do so. Particularly with the constraints imposed on that particular liaison.

So the question there would be, "What is the purpose of this particular GAC liaison? From the perspective of the GAC on the one side and the ICANN Board on the other.

"Does this liaison function need to be reconsidered?"

"Can the purpose and scope of the GAC liaison to the NomCom be restructured to permit this liaison to represent the broader views of the GAC? And if not, should the by-laws be amended to delete the reference to the GAC liaison to the NomCom?"

So should I pause here and see if anybody has any questions on these two particular liaison functions?

Heather Dryden: Thank you Suzanne. Does anyone have any comments or questions on what Suzanne has described thus far? No. Okay, Suzanne would you like to continue?

Suzanne Sene: Sure. Thank you.

For the other liaisons covered in Objective Three in our report from Seoul, the liaisons to other SOs and ACs, so the by-laws provide that the GAC may designate a non-voting liaison to each Supporting Organization and Advisory Committee.

So in terms of history and practice, the functions and experience of GAC liaisons to the other SOs and ACs have varied widely over time and also in relation to specific Supporting Organizations and ACs. In the case of the RSAC and the SSAC, there have been long time GAC liaisons from the Netherlands and Italy respectively.

Although there have been GAC liaisons to the ccNSO, to my recollection it was Mexico and followed by the UK but more recently we haven't had one.

We've also had a liaison to the GNSO that I have actually served at that function but we don't have that currently.

And then we had a short-lived effort to create regional liaisons to correspond to the regional membership of the ASO.

So right now at the present time we have no formal or perhaps even informal liaisons to the ccNSO, GNSO, the ASO and the ALAC.

What I would have proposed to Heather, based on my experience as the GAC liaison to the GNSO, was to do a short write up, if my colleagues would find that helpful, as to my experience and what I thought some of the challenges were and some of the misperceptions. And I would invite others, if they would wish, to share their views.

But here are a few of the questions that I think we might want to contemplate.

“Is there a shared or common understanding within the GAC and between the GAC and SOs and ACs of the purpose and the role of the GAC liaisons to the Supporting Organizations and Advisory Committees? If so, should this role be explicitly reflected in the GAC Operating Principles, because it actually currently is not? If not, should a consensus position be developed and reflected in the GAC Operating Principles and in discussions between the GAC and the SOs and the ACs?” And, of course, if that were to happen, we would want it to be reflected in the Joint GAC Board Working Group. So we would welcome the Board’s views on this.

“And can the effectiveness of these liaison mechanisms be assessed absent a common understanding?”

So this particular area of research may involve some feedback from the SOs and ACs themselves. So I put that out there to get other people’s views as to how best to proceed.

Heather Dryden: Thank you very much Suzanne. You’ve given us, I think, some useful questions to consider. What I propose now is that if JWG members have comments or questions on any of the liaisons that have been identified and in particular for those of you that have served in a liaison role, I think it would be particularly useful to hear about your experiences or what kinds of things you think that this Working Group needs to consider regarding liaisons.

I see Stefano, thank you. Please.

Stefano Trumpy: As Suzanne mentioned, together with Thomas LeHunt we have been serving the liaison function both for the SAC and RSAC. And the experience has been very positive for what concerned the SAC because we organized many meetings, joint meetings and we had a lot of contact during the plenary of the GAC. And with the Root Server System, this is kind of less evident, that has a less evident role, I can say that because the Root Servers are conducted in a

confidential, not completely transparent, they are very important, of course and we will know in this meeting. But a real interaction from myself and from Thomas was not with this group but the fact is that the Security and Stability group actually is dealing a lot of questions concerning also the Root Server System. And recently I've been adopted by the Security and Stability Committee so I have double hat and I find this an evolution that I accepted with the permission of the GAC Chair. Because I asked him if this is something that is a good move or not.

Also I think that the function of the liaisons should be not too formal let's say, and the liaisons should report to the plenary not every time but when there are good news. And if this is the role that is played, I would like to encourage also that with the ccNSO and the GNSO that liaison, I think this is positive.

And I served those in the NomCom in 2005 and this was a good experience but in this case as it was mentioned, the positive side I see is that the NomCom members appreciate to have a feeling of a GAC member with some experience and actually this is only, let's say, transferring some vision of what could be good candidates for the different forum where the candidates are elected, but nothing more than that. So in the end there for me it was a good experience and I think that the others appreciated my presence there. But we are non-voting members and so only advisor on this type.

Thank you.

Heather Dryden: Thank you very much Stefano. I have Jayantha next and Vanda and then I have the Netherlands.

Jayantha Fernando: Thank you Heather. Can I go ahead?

Thank you Suzanne for the initial draft you have provided and for the interpretation you have given with regard to the role of the liaison to the Nominating Committee.

I think I would also begin by concurring with Stefano to the extent that being on the Nominating Committee was a very good experience and the Nominating Committee Members and I see a former Chair, George Sadowsky, in the room. They I think all appreciate the presence of a GAC person, it may not be a representative in the proper sense of the word as coined by Suzanne here, but somebody from the GAC giving some input to the process is very much appreciated by the Nominating Committee.

My personal view is that having been involved in that process for some time, it is a very interesting and a very useful area for the GAC to be engaged in. I'm not too sure how the entirety of the GAC would look at it in its entirety because I understand that there are concerns with regard to the confidentiality

levels that have to be maintained. But I must emphasize one thing and that is number one that the confidentiality required to be maintained by the Nominating Committee members is in respect of ensuring that the names of the candidates are not disclosed. So that the candidates who apply have some safety and guarantee that their names will not be thrown out in the open.

Secondly, the process by itself is well known because the outcome of the Nominating Committee process is that there is always a report that is published. And I think some of the concerns amongst many of the GAC members arose because this report was not widely circulated and during my time both in 2006, of course 2006 I think there was some concern (bad audio 00:26:08 – 00:26:39).

And from Brazil is also here. So it is very interesting. And although my final position with it, although we may not necessarily have the term that Suzanne has worded very carefully and quite rightly I would think, maybe that it should be reiterated that the GAC place onto the NomCom is not supposed to be representing the GAC. So if that can be sorted out in some way, the terminology needs to be sorted out on that and I can see some views coming from many others members also. So if that can be sorted out, it is useful for the GAC to be involved I believe in this process in some form or the other. And that is the crux of the issue that needs to be sorted out. In which form and in what way.

Thank you.

Heather Dryden: Thank you Jayantha. I know that we did discuss the liaison to the NomCom to the point that the GAC did decide to not continue with keeping that liaison. And one of the difficulties was in fact that it's meant to be a confidential committee and so it presented some difficulties, as Suzanne has described, with the representational role of the GAC to that body. But I wonder if those that have also participated in the NomCom whether it's more a matter of wanting a certain kind of perspective or experience, you know, are there people that have worked in government maybe that would be useful on the NomCom. And not necessarily, you know, a GAC representative, something like that.

So next I have Vanda please.

Vanda Scartezini: Okay, thank you Heather. Thank you Suzanne for the previous information.

Being in the ALACs sometimes in the GAC for many years and the Board, so I do believe GAC will have a lot of opportunity to share information with the ALAC because we are organized in the regions and we have almost one group in each country in that regions. So to get together with the governs in those regions could be very important for the developing of policy in that region and

the way people think and the way people can have their positions addressed directly to the governs. So it's quite important in my opinion to have this connection. When the GAC starts, back in '99, we were very close. Nowadays the GAC is quite open and this was very important to know how to address things to the Board, how to address policies inside the ALAC. So the presence of some people from the GAC will add a lot of value to the ALAC and at same time the feedback from the regions talking in ALAC will, you know, add value also to GAC.

So I believe it's, at least with ALAC, it would be very, very positive Joint Working Group.

Thank you.

Heather Dryden: Thank you Vanda for giving us a perspective from the ALAC.

For those that have dialed into the meeting, we've actually lost use of a significant amount of the microphones so we're trying to fix the problem now.

Unknown female: Thank you.

Heather Dryden: Sorry about that.

So next in line we have the Netherlands, then we have Ram, then we have France, Norway and then Latvia. Please.

Thomas de Mann: Thank you Heather. I just can sum up to the experience of Stefano and others that the way the liaison works, as it has worked in the last five years, is good because of the informality. We're not bound to positions, we have a free exchange of views. We have flexibility in the way we work together and we trigger, let's say, meetings to have, if there is something pop ups, we gather a meeting or a briefing or something.

I think two things which I think should be considered as an improvement.

First of all we have to consider that, for example, in my case we are all volunteers and although I state yes as a liaison function on the website, I have been away two years from ICANN so basically the Root Server Advisory Committee liaison function was basically dormant. I have not had a chance to do anything.

So here you see the fact that also people start with good intentions and they start off very well then they got called away or something else happens and yeah, something disappears.

So one of the things that we could imagine is that we do really put a term on the liaison and we renew it every, we look at the renewal every two years probably, to look if it's still a valid position for that person. Maybe somebody else can step in.

The second point is that because of being volunteers, we face just a lack of resources and time to effectively let's say do our work. So maybe that's more something for the resources and let's say the secretarial support part of it, but I think, if we have also a kind of support mechanism for the liaisons to work, it would much more make the life of the liaisons easier and also probably volunteers will easier stepping up to do this if they know it will not be a very hard job to do.

Thank you.

Heather Dryden: Thank you very much. Next in the queue I have Ram and I inadvertently took out my Co-Chair from the queue, so Ray will comment after Ram. Please go ahead Ram.

Unknown female: I'm sorry, Heather, could I join the queue as well?

Heather Dryden: Yes.

Ram Mohan: Thank you Heather.

A couple of comments. The first is that, in my opinion, the liaison role is not a message passing role. When liaisons from the GAC come into various committees, I think it is useful to have the GACs own perspectives and questions be raised into the committees that these liaisons participate in, in a structure manner. I don't think that happens on a consistent basis right now. And I think that would be extraordinarily useful.

And perhaps that's the kind of work that the GAC itself considers during its consultations on a regular basis.

Let me speak specifically to my experiences with the SSAC as well as with the NomCom.

Now the Security and Stability Advisory Committee expects that all its members and participants to be appropriately qualified. And what that really means is that it needs people who can stay current and are able to follow the detail technical conversations that occur in the committee. In Stefano's case, that has not been a problem at all, in fact Stefano has been an extraordinarily positive influence as the GAC liaison into the SSAC, providing both useful council, as well as giving insightful directions regarding the GAC's own perspectives on this. You know, for example, when the SSAC sits and talks

about, you know, protecting end users or registrants in a particular area for example, WHOIS privacy, the kind of input that Stefano brings in is extraordinarily useful and not available from other normal sources. For instance from the cc or the GNSO areas, so that kind of input ought to be encouraged, you know, and should have more of it.

NomCom I think is a little bit of a trickier topic primarily because NomCom expects each member to act in their individual capacity and not in a true liaison capacity.

And second, because of the political sensitivities and the feelings that are associated with distinguished individuals who apply for roles as office bearers in ICANN, the cost of exposing a lot of those functions directly in the open has to be balanced with the transparency requirements or impulses that we have.

And in general the NomCom has tended to go towards making sure that the privacy as well as preserving the feeling and saving the face of those candidates who are very qualified but yet do not make the cut. You know, when you look at the average NomCom, there are seventy to eighty folks at least who come in and apply for a net of ten or fifteen actually roles.

Now the individuals who are actually applying are almost across the board are individuals of very high capacity who are captains of industry who are, you know, people who have accomplished a great deal and are not accustomed to being turned down. Or not accustomed to being told “no.” If they’re going to be told “no,” they would much rather hear the “no” in private than have those procedures exposed in public.

If there is a, when the NomCom deliberates and it has a set of criteria, there are some very hard things said about individuals inside the NomCom and those hard things are said because there are very difficult choices and there is some level of back and forth that happens. And sometimes the NomCom makes a choice, not because there is a, sometimes it makes a choice because there is a geographic requirement and in the geographic requirement you have to make decisions among a pool of candidates who comes in.

So I think the GAC liaison into the NomCom, one of the things that GAC should consider is to continue to allow this liaison to participate in an individual capacity and to allow this level of confidentiality to remain. Because I fear that otherwise the damage to the process of nominating really qualified people will be pretty high and that will harm the community of ICANN overall.

Thank you.

Heather Dryden: Thank you very much Ram. Next I have Ray.

Ray Plzak: Thank you Heather.

Ram and I have this disgusting habit of thinking a lot alike on many things. We've done this for many years.

I would like, first of all, to speak in my capacity as the Vice Chairman of the SSAC and echo what Ram has just said about Stefano's contributions to that committee. And also to echo what Stefano has said in terms of mutually thinking that this has been a very, very beneficial and effective liaison.

Then speaking a little bit to the NomCom, the persons on the NomCom are not representative. It's better to look at them, as Ram has said, that they are private individuals, but what is being sought here is a diversity of members of the NomCom. And so we look at diversity from many different aspects and there's always the obvious ones – geographical or economic or gender and so forth – but ICANN also has the ability to present a diversity based upon the group or the interest that is represented by that individual. So I would echo what Ram is saying as GAC that this person has got to function as a private individual, he's bringing, this person is bringing the government's experience, if you will, to the table, and perspectives.

I can speak a little bit to that as well. In my former role as CEO of ARIN, we had members of governments of U.S. and Canada participating in a policy process there and they never spoke for their particular governments or their particular agencies. What they did do is they brought in their perspective of the agency or the government as a whole to this policy forum so that as the deliberations were going on, people were aware of what that perspective was.

And so that is really what has to be the case with the NomCom, it's a perspective that's being brought in here, it's not a report carrying message bearing type of thing. It's a perspective and it's a very valuable perspective because remember that the NomCom is selecting people to be officers of some sort in ICANN. You want Board members selected who are going to be capable of looking across the entire ICANN spectrum. And so when qualities of candidates are being looked at, the ability of one person to bring in a perspective of what governments look at in terms of a Board member is very, very important.

So and the last thing I would like in this regard is that as we go through and look at these various liaisons, there has to be, I think a set of expectations that may or may not be the same for each of the liaisons. In other words, and that expectation has got to be basically negotiated by both sides. What does each side of this liaison arrangement expect to happen? In some cases it may be that all we desire is a simple exchange of messages. In other cases it may be a

more active participation. For example, Janis as the liaison to the Board is a very active participant in Board discussions.

So there's that I think also has to be taken into consideration. We've been talking a little bit here about the NomCom person. That's a different expectation. So I think that as we go through and look at these dormant and not successful liaisons that we back and say, take a real hard look, you know, what is it that really caused them to fail? Was there some expectation or perspective that was not looked at at the time that that liaison was done? Did we just take the broad brush and say, "Boom, we have an idea what a liaison should do and that's it?"

So I would take that back to the members as well.

Heather Dryden: Thank you very much Ray.

I might just add that from the perspective of the Canadian government, it's really difficult to take off the government hat so to speak. So, and this is what I'm hearing I think from my GAC colleagues, is that this is really the difficulty when putting liaisons onto to various Supporting Organizations and Advisory Committees and so on. So I would actually welcome comments from GAC colleagues on that particular point.

In the speaking order, I now have France, Norway, Latvia, then the U.S. and then I will look to closing the list in the next few minutes. Okay.

Bill Dee: Heather, can you hear me? It's Bill Dee here from the European Commission.

Heather Dryden: Yes Bill, please go ahead.

Bill Dee: Good morning everyone. Just to add me to the list please, thank you.

Heather Dryden: Oh, very good. Thank you.

Jean-Jacques Subrena: Thank you Heather. A few quick points.

First of all to support what actually Jayantha was saying, he is also not about representing the whole GAC and in this respect, Suzanne is right to raise the question but the answer is no liaison is there to represent the GAC as a whole. Of course, if there is a position that the GAC has adopted, it's all the better if the liaison can share it, but this is not the fundamental function.

The second thing is both in Vanda's, Ram and Ray, there's a word that has come back again and again which is the word "perspective." I think it is the core element, the key function of those liaisons is in a large respect the capacity to identify and detect very early on the public policy dimensions of

issues that are being addressed. It is mutually beneficial, because there are many cases where the GNSO for instance, and this of course doesn't apply for the NomCom I'll come to that later, the GSNO is raising in issue and it is only after a certain number of iterations that it actually comes to the GAC and the GAC says, "But how didn't you see that there was a public policy dimension here?" And it's bad for the GNSO as well because then it flips the problem and prevents it from being addressed correctly.

Likewise, on the other hand, it's always a problem for GAC members because of the delays in the internal consultations at the national level. The later we are aware collectively of the existence of a potential public policy issue, the harder it is to contribute rapidly.

So this is the notion of providing early on detection and mutual information. So it's not message passing.

The third point is about confidentiality. It is a delicate thing, however the GAC liaison to the Board is involved in highly confidential discussions and it doesn't cause any problem. It is part of the function. So the fact that the Chairman is participating in the Board discussions shows that a GAC liaison can participate in something that is confidential.

The last point is about the notion of basically volunteers or the participation in a personal capacity. I don't have a solution here but it is true that among GAC members there is a very big diversity of national mandates. Some have participation in this as a major part of their own job description. Others have it only as a completely side effect and it does have an impact on whether there is a participation and how much they can involve themselves.

Final point on the NomCom. I would fully support what Ray and Ram were saying, provided that the confidentiality can be protected, it is incredibly useful I think that the perspective of the public policy or the public interest is taking into account in the NomCom discussion. Which, of course, no voting rights, because that's not the purpose of the liaison. But bringing the perspective in the discussion is the purpose of the liaison.

Thank you.

Heather Dryden: Thank you France. Norway, please.

Ornulf Storm: Thank you and thanks all for your interest into these issues. And thanks Suzanne for – I think you pointed out the key issues here – what you said. It's the purpose and the role for the liaisons must be defined.

And I would also think that if we should have liaisons, their purpose and their role should be defined in the Operating Principles so that we in the GAC and

the other constituencies will have a common understanding of what they should do.

And also for what other representatives have given of input is very useful because then, of course, that highlights the usefulness of liaisons. So that's certainly a good input into this discussion.

And also what I think Ram was also mentioning is about the input/output. I think we have to define what a GAC liaison should then be inputting into the entity it's liaison to and what's the output from the liaison to the GAC. That must also be defined to be able to understand the role.

And also regarding the representation, because that must be defined at the role of the liaison. And also several were mentioning the perspective. Of course you could have a GAC liaison but of course that could also be accomplished by having a government liaison or a government participation. So of course that's also something that we in the GAC must discuss is if it's useful for the GAC to have a liaison or is it useful to have a government representative as a member or a liaison from that country.

Regarding what you said Heather, the representation role, representation from your country or from just a government or from the GAC, that's important issues to define and to establish.

So thanks. I think this, and of course the purpose of this is to get all the input and then use this to define sort of the way forward afterwards. So yes, thank you.

Heather Dryden: Thank you Norway. Useful suggestion to advance our work. Next I have Latvia, the United States, and then the European Commission which would be the final speaker on this agenda item. So please, Latvia.

Janis Karklins: Thank you Heather.

What I hear is a positive evaluation of need of GAC liaisons to different organizations and I think that we have to maybe revisit our position which we took a couple of years ago to cease this function.

But what I see that the underlying reason of our decision is still present and that is a difference in perception of the role of the liaison and the main thing is that outside the GAC the perception is that the GAC liaison speaks on behalf of the GAC. And inside the GAC we are very cognizant that liaison cannot speak on behalf of the GAC unless there is a common GAC position which is expressed with a communiqué or any other documentation we are producing.

So if we would be able to harmonize this perception that GAC liaisons to the organizations and committees are not speaking on behalf of the GAC, unless they are explicit about that, then I think we can reinstate liaisons.

And in fact this is my practice also on the Board. When I'm speaking on behalf of the GAC I explicitly say that I am speaking on behalf of the GAC and expressing GAC's official position or I'm saying that I'm speaking in my personal capacity and that's very clear.

I agree with Thomas's point that liaison-ship is time consuming. To tell for me it takes about three weeks a year to work as a GAC liaison to the Board, taking into account all Board activities which are outside meetings. And the periodical evaluation, if we reinstate liaisons periodical evaluation of the work would be very useful and I agree that sometimes people simply get tired and need to be replaced and this nothing pejorative but that's just a fact of life.

Thank you.

Heather Dryden: Thank you very much Latvia. Okay, Suzanne please.

Suzanne Sene: Thank you very much. Actually Janis actually covered quite a few of the points that I was going to raise.

I think it is that, certainly with my experience as the GAC liaison to the GNSO, which is why at a certain point we had to terminate because there was this perception that I could represent the GAC on a regular basis and that I could actually begin to serve as a volunteer on several of their Working Groups and this goes to Thomas's point as well about resources and the fact that we're all volunteers.

So if I recall back in history, at the time when I began the liaison function, we in the GNSO were not speaking as regularly as we do now so a certain element of that function was simply to serve as an information conduit and to help structure agendas for exchanges. In fact, we started exchanging, I guess views on WHOIS, I believe that was a very pressing issue, and both sides recognized that there were public policy concerns and so we decided it would be useful to have more regular exchanges. But it wasn't necessarily linked to a policy development process per se.

So I think it's useful for us to try to categorize the purpose and the function of liaisons which may be very different for different SO's and AC's. Vis a vis our GAC Chair as Janis points out, I think all of us have an enormous amount of confidence that when we've done a communiqué or a formal letter or we have formally adopted a position, we have enormous confidence that that is, in fact, the position that the GAC Chair is going to advance.

When we don't, or even if we have, if we are working on a position, if it is just an individual government's view, then it ends up just being an individual government's view.

So there is that challenge that we face and perhaps we need to put this out as a question to our counterparts in the other SOs and ACs so that we can arrive at a mutually agreed definition of the scope of each liaison function.

I think Thomas's idea of a regular review is an excellent one because we should rotate these functions should we decide to continue them. And I actually think there's a great deal of value in all of the liaison functions. But I think Ornulf put it very well as well, we need to understand what the input is and then what the output back to the GAC is so that we can act upon it.

So perhaps we're looking at a little more detailed discussion of the formality that we want to attach to this. And it may not need to be formal, it just may need to be a set of agreed procedures and guidelines for not only the GAC but our counterparts.

Thank you.

Heather Dryden: Thank you very much United States. And lastly I have the European Commission, please go ahead Bill.

Bill Dee: Thank you Heather. And good morning everyone.

Firstly, my apologies for not being there with you in person in Nairobi but the good news is that my colleagues are arriving tonight and will be able to join you in person tomorrow.

Thank you, a very interesting discussion actually. Just very briefly, I'd agree with everyone but it's very important that we have good quality interaction with the other Advisory Committees and Supporting Organizations. I think that's the cornerstone really of good policy making and multi-stakeholder policy making in ICANN.

I'd note that in recent years our main way of doing this, the main way of achieving this, has been by having joint meetings such as this one. And I'd say that this is always the best way actually to get a full level of participation. We should be having as many joint meetings as we can and I think we've been very successful in that.

My only experience, not having been a liaison myself but as a GAC member, is that liaisons have always been a problem. People have mentioned already that it is not possible for any individual member to represent the GAC and I think that is important. I think perceptions are important and we can do a lot

to clarify it but there's also a structural problem there actually that an individual GAC member can't always take off the government hat. I think this is the point you made Heather and I'd agree with you. I certainly can't and I participate in GAC meetings in official capacity, not in a personal capacity. And that does raise problems. And NomCom in particular I think is a particular problem with specific confidentiality requirements.

We have our own accountability. I have my accountability to my hierarchy and to the organization I work with. Personally I can't be confidential in terms of reporting back to my bosses and my hierarchy.

I also have a concern with the NomCom actually because of the specific role in appointing Directors to a private corporation. I think that of all of the liaison functions, that's the one I think that is problematic for some of us.

My last point actually is more of a proposal actually. I noticed reading through the By-Laws that they provide for the GAC to provide quite a number of liaisons to other Supporting Organizations and Advisory Committees and indeed to the Board. And I was surprised to see that there is no provision for any other organizations to provide liaisons to the GAC. And it seems to me that if that were the case, if other organizations provided liaisons to us rather than the current situation, that would actually solve a lot of problems for the GAC, a lot of the ones that we've discussed this morning, and it would achieve, I think, the same contact point that we're looking for.

So that's one idea I think would be worth considering. Thank you.

Heather Dryden: Thank you very much Bill. Okay, so I think we've come to a conclusion for this agenda item. I will hand over the microphone shortly to Ray to cover the next item.

What I should have mentioned at the beginning of the meeting is that this session is being recorded and there will be a transcript made available of today's session. So we will have a record of today's discussions.

Ray, please.

Ray Plzak: Thank you Suzanne.

We'd like now to move the discussion to one of the aspects of Objective Four. In short, from Objective Four, the ICANN Board asks the group to consider measures to enhance support of the GAC's work and it includes several things. And one of which is the extension of travel support for GAC members.

It is my understanding there is an existing process that the GAC has used to gain some travel support from ICANN for fiscal year 2010 and so I would like to first of all ask Janis, if he could, to provide a background information on this particular document.

Janis Karklins: Yes, certainly. We had on a number of occasions in past years we witnessed that some GAC members, particularly from developing and less developed countries, could not attend the GAC meetings for economic reasons. And we felt that asking ICANN to provide travel support would be one of the ways how to increase awareness about issues ICANN is dealing and also provide some new perspective in the GAC discussions because if we don't hear how things is perceived in developing countries, then that perspective is absent in our debate.

So and that was the time when remote participation was not really on our agenda and we never had anything similar like we have today. Remote participation was introduced about a year ago in our meetings.

So we made a request to ICANN Board and ICANN Board was positive and we are now benefiting from travel support for six members. We worked out the methodology of allocation and selection of GAC members benefiting from this support. It was done on the basis of existing ICANN travel support policy document which was modified and agreed in the GAC. I think it was about a year ago.

And the Selection Committee for this purpose consists of the Chair and the Vice Chairs and they receive applications and made decisions on allocation.

What are the principles? First of all, we think that it is useful to maintain travel support for the same GAC member for certain period of time because it takes a while until members start to understand what the issue is and what implications for his or her country is.

So we have very short experience until now. It is the third time when we allocate this travel support but I hope that in this discussion those who benefit from travel support will be able to tell how they see it and how they feel about it.

Ray Plzak: Thank you Janis.

Given the relatively limited experience with this current procedure, the first obvious question to ask is that is this sufficient to meet the desires of the GAC for travel support for members of least developed countries?

Now I note that in this document that the notion "least developed countries" was actually that did not use the U.N. definition but instead used three of the

categories from the World Bank, being low income, lower middle and upper middle income. So perhaps even the use of the term “least developed” may not be appropriate as we go forward given the thought process here, I’m not sure.

And the other thing obviously that one would ask is that, and not meaning and don’t want get into a discussion of the processes involved in this as far as selection and everything else, but basically looking at the principles involved, and the level of support. Some people would view it as a limitation that there are six people, however, that’s probably also a budget reality. But I think this is also a moment to look at the fact that consideration should that number of selectees be increased from six to some other number.

And we don’t have enough experience in this area to know how effective it has been to date to know whether or not even that would be a good question to pursue.

So I would like to begin the conversations, entertaining two types of inputs. One that Janis referred to, the experiences that anyone has in terms of actually participated in this and then the second one is that, is this current document as it is sufficient or is there a need to broaden it in some way, shape or form.

And so with that I will begin to entertain participation and interventions.

Oh, Spain.

Unknown male: Thank you. I have a question.

Perhaps it would be useful to know whether in the current experience there have been more applications than travel grants. Perhaps I’ve missed something but I don’t have that information. In order to know whether it would be good to broaden the program or not. Thank you.

Ray Plzak: The question as I understand it is that you would like to know, based upon current experience, has there been more candidates forced, in other words, someone was turned back.

Can you answer that please?

Janis Karklins: Yeah, we have, there are a couple of principles. One is that travel support is provided for one representative per country. We have been asked several times to provide travel support for two representatives from the same country and we had to turn down this request. Otherwise only on one occasion we had to turn down one application because of the lack of funding until now and on two occasions we had number of applications matching with the number of travel support and once we had one member more and regularly we have

requests from one country for travel support for two people so which is turned down.

Ray Plzak: Thank you. Real quick comment. It's something else then when considering broadening this is not only the number of countries you're selecting from but the size of the delegation should it be one or two, for example. Something else that we could discuss as well.

So anyone else please.

Unknown female: Thank you.

Suzanne Sene: This is Suzanne. Could I just ask a question?

Ray Plzak: Is that okay? Yes, go ahead.

Suzanne Sene: Thank you.

I was just curious to know if there would be data, or would it be helpful to have data that would permit us to understand the level of support for the GAC travel relative to support provided to other ACs and SOs?

Ray Plzak: So Suzanne, if I understand your question, are you asking, "Would it be useful to have data to do that comparison?"

Anybody have any comments on that?

In other words, how much travel support is extended to the various SOs is the question.

Okay, Patricia first. And then I also can comment on the ASO so go ahead.

Patricia: Thank you.

On the part of the Philippines we have benefited from this particular opportunity to participate physically in GAC meetings. We joined GAC in July of last year and we were excited and thrilled about this opportunity to participate in a travel support capacity. And it has benefited us to sort of see and understand what's going on within GAC and ICANN and bring back to our government and to our constituents as to what are the relevant issues that need to be taken up on the part of the Philippines. So it has benefited us to the extent that we didn't realize it would so we would support its continuing provision for travel eligible economies.

But related to what Suzanne said, I think it would be appreciated by this body and I'm not sure if I have the support of the other members as well, to know if

such assistance is also available to SOs and ACs because from what I know also, it is made available to other organizations within ICANN and not just to GAC. But it's relative to us in terms of the number of countries that are made to avail of this particular facility and to the extent that you want to encourage diversity, it's not clear as to what the selection process is.

Are we saying in terms of governments that we want to participate in a geographic region or distribution? Or that the time that they have been with GAC, is that a consideration as well? You know, the level of participation is very important so I'd like to start discussions in these areas as well.

Thank you very much.

Ray Plzak: Thank you. Vanda would you speak to the ALAC experience?

Vanda Scartezini: Yah. Suzanne, it's Vanda from ALAC, liaison to the Board.

And what I know is that the support of ALAC is in the amount of money, it's basically the same as the GAC. So I do believe that the way we do that is we have select people from each region, two of each region, so the share in the Secretariat of each region, normally come to the meetings. Plus the NomCom members of ALAC and that's it.

So there is the support we have. We have also a kind of per diem to, because we don't have food or those kinds of things supported inside the meetings, so they pay for each one some kind of per diem, I don't remember because I don't get it, I don't get it, but it's enough for the transport and for food during the time of the meeting.

That's the support we have. I guess it's similar. We ask that you talk to make this comparing the ALAC support with the other so that's why I have this idea and Ray has more to say on that. Thank you.

Ray Plzak: Thank you Vanda. Real quickly, travel support I guess is a general offer that is available. I know that in particular the ASO receives no travel support from ICANN because it doesn't want it.

In the queue I have U.K. followed by Jean-Jacques and then Sri Lanka. So, U.K.

Unknown male: Thank you Ray and thank you Heather for your co-Chairing here this morning.

Just a couple of points. We were talking about comparisons with other organizations and I don't know whether Suzanne had in mind whether the GAC in some way was not realizing its potential in this area. But I think the

point I would make on this is that I'm not aware that there was a cap on the resource available for facilitating travel and our view is that there shouldn't be. I mean, as many applications that can be approved should be approved. So that's the first point on that.

Janis in his opening talked about remote participation and certainly that is improving and we're witnessing that now. But I don't think that is a factor that we should take into account as to whether this facility should be narrowed or change in any way. I think, as the Philippines pointed out, I think the face to face interaction, the networking that results from being able to attend and join so many GAC representatives is a precious thing that we should maximize as much as possible with as many countries as possible to ensure that we do get as many perspectives, especially from developing countries, as we can.

So we certainly want to see this facility continue without any cap or fundamental change in its objective.

Thanks.

Ray Plzak: Thank you. Jean-Jacques?

Jean-Jacques Subrenat: Thank you Ray. A few quick points.

First of all, I want to make clear that I'm speaking in a private capacity. I'm a member of the Board but I'm not purporting to speak on behalf of the Board on this particular point.

Second, as we see, the cost of travel is borne in this case by the GAC budget for those countries which have difficulties in providing that expenditure. So, of course, it depends very much on the current capacity of ICANN. In other words, the size and allocation of its budget.

I don't know what it will look like in 2011 and beyond but I suppose we do have to take that into account in any case.

Another point is the order of magnitude. I'm quite, I find it quite striking to see that the difference between the World Bank list and the costing of that and the United Nations list and the costing of that. There's not a huge difference actually if you look at the paper which is provided to us by the GAC. The World Bank estimate runs at \$590,000 U.S. Dollars and the U.N. list runs at \$672,000. So there is a difference, right, but at least it's not a different order of magnitude.

So I wonder if you could discuss this among yourselves and see if there's a huge difference between one or the other list and if, as a matter of principle, one should not take the more inclusive list, simply as a matter of fairness.

My final remark is that I do see some link between this discussion on travel support and another item about support for GAC activity which is the GAC Secretariat. At the time when you will be discussing whether you want a completely independent, and if you can afford, a completely independent Secretariat or a Secretariat provided entirely by ICANN, or any combination of those, I think it's worthwhile also of looking at the possibility of gradually providing, to a certain extent at least, some independence, or independent source of support for this. My idea is actually, would it make sense creating some sort of fund which could be, which could be developed with volunteer member states putting something into a fund but also international organizations etcetera and maybe also ICANN as such.

Thank you.

Ray Plzak: Thank you Jean-Jacques. Sri Lanka?

Unknown male: Thank you.

I also support this continuous travel support mechanism that has helped to enhance our participation. Sri Lanka has been a beneficiary of this process and it will be useful to see whether this can be expanded to more than just six members to enhance greater participation from developing countries.

From my personal experience, it has helped to relieve budget commitments because, in our countries we don't have that much of a budget within a particular number of meetings and there have been some of us who have been taking part support. So for example, some have only asked for their travel support, some have only asked for accommodation support. That way we have a lot there to be saving.

My question is whether that saving can be carried forward to next year. If it is possible, it would be useful to see whether support for one particular country can be extended beyond three times.

Thank you.

Ray Plzak: Thank you. That's an interesting observation.

A lot of that though has to do with the mechanisms of the budget process and the other thing that was of interest here was Jean-Jacques raising of the point of perhaps creating what amounts to an endowment pool where governments

also contribute to help fund this activity. So I think that's something else I think is worthwhile looking at.

Next on the list I have Katim.

Katim Touray: Thanks Ray and good morning everybody.

I'd like to add my support please to this wonderful initiative because I think, speaking for myself as not only an ICANN Board Member but particularly as somebody from Africa, a developing country for that matter. The participation and active participation of a lot of these developing countries in ICANN processes is going to be heavily dependent on to what extent that they can get support including specifically travel support to actually be able to participate in these meetings and activities of ICANN.

Having said that, I'd like to, in the interest of making sure that we get the most "bang," as the Americans would say, "for our buck," in other words, getting the most efficient way of the use of resources for travel support, I'd like to suggest we take a look at page 4 of the document, specifically item numbers 6 and other provisions where it lists, starting with A) that the requirement that the GAC members that benefit from travel support will be actively participating in the meetings that they go to attend. And secondly that they will be expected to complete a feedback form based, you know, I guess to report on their, to be submitted to the ICANN travel support, in other words, the feedback form really is meant to assess the quality of travel support.

What I'd like to suggest is that the feedback form also include a requirement for the participant to report on what exactly it was that they themselves engaged in in the meetings. In other words, for us to be able to read the feedback form and be able to say actually what it was that this person did. Because usually my experience has been that there have been instances where some other agencies will support people to travel to international conferences and things like that, actually specifically require them to write reports on what transpired at those meetings. I'm not sure we want to go that far. But I think at least it also helps since we're having a feedback form to be completed by the participants, to have the feedback form include space for them to provide information about how it was that they actually participated in the meetings that they were supported to attend as they were expected to participate in.

Because I think basically at the end of the deal, we need to have some way also of ensuring that the people that we are supporting to participate in these various activities actually actively participate as they are expected to in these meetings.

And on that note, I have to say I have to leave very shortly because I have another conflict with another meeting. But again, thanks very much. I have enjoyed the meeting. Thanks.

Ray Plzak: I have Janis in the queue.

Janis Karklins: Thank you.

I would like to react simply what Katim just said. What you described is used in the Fellowship program, the feedback form. And to be fair, one should also mention that a number of government representatives benefit from support through the Fellowship program. But the Fellowship program has one aim, it is to familiarize people with ICANN and make them learn about ICANN activities, that is a form of outreach.

The travel support for the GAC members is not really, does not really pursue this goal. Because this program is set to support GAC members who otherwise cannot participate. And we, I don't think that the feedback form that you mentioned is appropriate for the GAC members because then that puts them in slightly different position than other GAC members who do not benefit from travel support and we see their activities in the room.

And that is obvious and therefore I would say that this idea is, in my view, is not good for travel, for travel support program.

For Fellowship program, that's different because there are different presentations made from, about ICANN's activities, people come in, myself I'm going to talk about the GAC to the Fellows, and that is important for ICANN staff to evaluate how this program is going, what's the perception of the Fellows themselves, whether they feel it's useful or not, in order to change it and to improve it for the next time.

But in travel support, that's a different story.

Ray Plzak: Katim?

Katim Touray: Thanks Janis.

Then I take it then that you are suggesting effectively that Item B on the Item Number 6, Other Provisions, be struck out then? Because there is specifically a mention there of the feedback form.

Ray Plzak: That's the current document but I believe I have Egypt in the queue?

Egypt, did you want to speak?

Rashida?

Rashida: Yes, thank you Ray.

I notice that we have a maximum of six GAC members for each ICANN meeting so is there a certain criteria to choose if you receive like 10 applications for example? Because I can see criteria for eligibility, I mean, but still it can be applicable on like 10 members, so how we make the choice?

Ray Plzak: Thank you.

First of all, let me remind everyone that this document that we're looking at is the one that was developed to support the FY 2010 budget. And so we're discussing the aspects of this as far as going forward.

But an answer to your question, as far as what criteria is used to select persons, I don't this since I'm not one of the... I don't know Janis if you wanted to briefly talk about that? Or what the methodology is that's used? Or, it's up to you.

Janis Karklins: You know, again, it depends from the number of applications and certainly we're trying to look at all balances we know about – geographic, gender and so on – so in the case when number of applications correspond to number of available support packages then it's easy. So then there are no criteria, it is a match. When it is bigger, there was one case being bigger, then of course we were trying to apply those principles I mentioned, geographic representation and gender to make sure that we, that our judgment is well perceived by GAC members.

Ray Plzak: Is that a handoff? Sure. Go ahead U.K.

Unknown male: Thanks.

I talked about our preference for there being no cap on the number. I mean, can I ask, how the number six was arrived at? I mean, shouldn't the eligibility criteria be the key thing here in terms of numbers of applications that can be approved? I'm sorry if I missed an explanation earlier about how this number six came about.

Thanks.

Ray Plzak: I didn't participate in it and Janis did but I would strongly suspect that it's a budget number. In other words, looking at the budget, what can be worked into the budget? Certainly you know, in principle not having a cap is a good idea but I think the realities of the budget may at some point in time have to be considered.

But we'll have to decide amongst ourselves as we go forward with this recommendation whether or not we make a flat recommendation of no cap or if we decide we're going to live with one then kind of like, set what the cap is that we think that the GAC could live with.

So it's a valid principle to discuss but I think we also at some point in time have got to bring in the realities of the budget and the revenues available to support it because the budget is supporting not only the GAC but many other groups.

Suzanne Sene: Oh, excuse me. This is Suzanne, could I join the queue?

Ray Plzak: Yes you may Suzanne. U.K. go ahead.

Suzanne Sene: Thank you and I wanted to pick up on Vanda's overview, thank you for that Vanda.

And if I understand, are there regional ALAC organizations in all of the five regions and if so, would that suggest that there were two per region that were funded so that would a number of 10? I'm just trying to get clarity as to, you know, the GACs support which is currently fixed relative to support provided to other bodies?

Vanda Scartezini: Yeah that's right. Five regions, two persons by region, plus the NomCom members.

Suzanne Sene: Thank you.

Ray Plzak: Go ahead U.K.

Unknown male: Thanks. Sorry just to come back in on this.

I think for the purposes of this document, that is an issue that Ray you highlighted very ably for us, that issue of caps is something we need to look at. There may be others who strongly feel the same as I do that a cap of six may not be appropriate as the GAC continues to enlarge and reach out to more countries that are not currently members.

I also would hope that we can preserve the very effective mechanics of this travel support scheme that doesn't involve a huge amount of work or bureaucracy. I think if we were to go down the route of creating a fund, as was suggested earlier, and relying on country donations and so on, that would create a huge project for governments. It would involve budget bidding and all kinds of treasury implications for countries if the fund were to rely on donations in that way. And the administration of the fund and so on and the

auditing of it. We will be contemplating a major, major new and resource intensive approach to this. So if we can preserve the way it operates now so effectively and with such limited resourcing, that would be a preference I would support.

Thanks.

Ray Plzak: Thank you. Egypt and that will then be I think the last person that will address this matter. Okay, go ahead.

Unknown female: Thank you Ray.

Again on the cap thing and based on what Sri Lanka mentioned regarding that some members sometimes ask for just only accommodation, only ticket, I mean not the full thing, so are we supposed to stay below a certain figure? I mean, if some members ask only for half the fund, does this give more room to other members? I mean, can we go beyond the six for example to eight if this stays within the budget?

Ray Plzak: I'll say one more time about what I, repeat what I said about the caps. The caps that exist in this particular document were done for this particular fiscal year and so in my opinion, the whole matter and subject of caps is an open discussion.

My personal preference would be that there would be no cap but my realistic view of the world also says that there may have to be some sort of a cap because of the reality of the budget. And so I think that's what we have to discuss in that and so this number six that was there was only produced for this particular fiscal year. And so that's not a hard and fast figure at the present time. And as has been pointed out very briefly, the ALAC has more because they have 10 plus their NomCom people and so I will take it as an action from the Board perspective to go back and get the data as far as the travel support by, of numbers of individuals by organizations, SOs and ACs, and provide that back to this group. And we can use that as to further evaluate.

I think in the end, at least you want to be fair. And the aspect of travel support for the GAC in a lot of regards is different than that of any of the other SOs and ACs because of the nature of the GAC and what it does. And so I think that that also would fit into any discussion of a cap.

Did you have something you want to come back at me with?

Unknown female: Yes, I was just asking, in principle, should there be a cap, the cap should be a certain figure and not a certain number of members. I mean, because maybe we have like 10 members, they are all coming from nearby countries so I

mean, we should, if there is a cap we should be within a certain budget and not a fixed figure of...

Ray Plzak: Right, right. I think as we go forward, we have to bring all of these factors into the discussion of what we really mean by a cap in this regards. And so it's much more complicated than just drawing a line, so let's do that.

Okay, I would then like to close out this subject. Although we don't have a person that has volunteered to hold the pen for this thing yet and so I will briefly if someone would be willing to do that. Personally I think that it would be better, we would be better served if it was a person from a least developed country to do this since they would be the beneficiaries of this more than anything else. But if there's anyone that's willing to do that right now, please raise your hand, otherwise we will just move on.

Do you want to describe the functions of the pen?

Heather will tell you how to use your pen.

Heather Dryden: Well we could continue in the manner we have thus far where a volunteer has drafted text for the report for consideration. So I think ahead, what we will likely do is have a teleconference, if not, one then two before the June meeting. So it would mean taking the comments that are made today, you can draw on the previous document that the GAC has prepared, and then maybe propose an approach, propose a recommendation, or ask questions if there are things that haven't really got to the bottom of but that we need to in order to come out with recommendations on this topic.

So is that agreeable Jayantha?

Great, thank you.

Okay, since I have the microphone already, I'd like to propose that we take a break here of 15 minutes. It's quite warm in the room so it might be good for us to get a bit of air and stretch our legs.

When we come back, we will talk about the Secretariat and then we will talk about the first and sixth objective which relates to GAC policy, advice given to the Board and also the policy development process and how the GAC would perhaps be better served inputting to other parts of the community and so on and so forth, to improve the policy development process.

On those last, on that last agenda item, during the break, if you could be thinking about ways that we can focus our efforts in order to consider those issues and come out with recommendations. Both those topics are potentially quite broad, in particular looking at, analyzing advice that the GAC has given

to the Board. So what I'm really seeking today is thoughts on how we can make that manageable and what we might look at as maybe cases or examples that will inform our discussions further.

So, thank you. Well I assume that's agreeable? Okay, all right. So we will see you in 15 minutes.

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Heather Dryden: Hello again everyone. If you could take your seats we should get started again. We only have time set aside until noon today and we have a few more topics to discuss.

Thank you.

Okay welcome back everybody. Let's get started.

First of all, for those that are dialing into the meeting, are you there? And if could say, "Hello," it helps us do a bit of a sound check.

Suzanne Sene: Yes, still here.

Heather Dryden: Great.

Unknown male: (Inaudible 00:04:06).

Heather Dryden: Okay, thank you.

All right, so let's move on.

The first item to discuss is the Secretariat support for the GAC and this comes under objective number four in the Terms of Reference for the Joint Working Group.

Some of you may know that a number of GAC members have been working on this issue which is of considerable importance to the GAC and its future work. And so Joe Tabone from Malta has kindly agreed to give us a big of background on how this work is progressing and why the GAC considers this to be an important aspect of our participation in ICANN and so on.

So I will turn the floor over to Joe.

Joe Tabone: Thank you very much. Heather, can you hear me? No?

Okay thank you very much. You can hear me better now.

The matter of the (inaudible 05:33) themselves is for the GAC has been a very challenging one of as far back as I have been associated with the GAC and there have been discussions relating to this from time to time. Up until now I

think that the GAC has been very, very, very fortunate in the support that is received for the provision of these services by successive governments or institutions starting with the Australian government for a period of time, then the European government and now the kind support of the Indian government.

This I think has really served us fairly well up until now, although it's always been for a period of time and have been these preoccupations about, you know, what happens after the present arrangements really come to an end.

But be that as it may, what we, what the GAC requires now going into the future now, really as a result of the new operating framework of ICANN and the very more important prominent trail of GAC is something that is entirely different from what we've had really up until now.

It is, you know, thoroughly clear that the load data that really is emerging for GAC is one that is going to be really more proactive than it has been in the past. More very tuned into, very addressing, very public policy issues. Very geared to the anticipated growth that is anticipated in the Internet as a result of recent policy changes.

And a whole host of other things that are touched on in the document that has been circulated to you, the Joint Working Group.

And the other thing was the present arrangements with the India governments really have been very extended until June next year I believe. There is a very pressing need for the GAC and its Secretariat to really have in place the capacity that it requires that is implied in this new role as soon as it really possible.

Now in terms of when you're looking at the options for really dealing with this, there are some peculiarities no doubt, you know, which we're all aware of insofar as the GAC. GAC is very component part of ICANN. It's really part of the very overall, you know, structure of ICANN. It is really an advisory group but at the same time there is this view that really it needs to be independent of ICANN. So how do we really deal with this?

It's also unusual as an organization I suppose in that you have this rotating really Chairmanship that has really been traditionally the case. And I think it's also very, very important for the future and the model that we adopt that we are able to really develop some institutional memory. I think this is something that is, you know, terribly, terribly critical.

Very few of us have been working on this and there's a paper that has been really circulated which I understand is going to be discussed next Wednesday morning, be discussed in some detail. And the paper really for the time being attempts to address the, you know, possible really models that you know we

should be looking at for really future Secretariat. But the models in terms of the actual funding of the Secretariat itself but it's actually not looking at the type of institutional set up that, you know, we should be having or where the organization should be located and I think that that is really the next stage. Once we've discussed on a model that is suitable, you know, for us, then I think the next thing would be to really get an agreement on the type of institutional set up that we require.

And the five models that the paper that has been circulated looks at and it provides the pros and cons for each of these.

The first one of these is essentially really continuing as we are at the present time which is really no doubt very unacceptable.

The second option is for GAC Secretariat, that is, you know, resourced by ICANN but assigned to the GAC. So for all intents and purposes the, you know, GAC would really, once its role has been defined and an agreement really on the scope, it really proposes a budget that is required to cover the cost of its operations to ICANN and this is approved and then ICANN secures the resources, the capacity by way of people that are required to provide the necessary services.

A third option would be for a model that will again be financed by ICANN but it would be, the Secretariat would be completely accountable to the GAC. That means that the Secretariat will be essentially accountable to the GAC, controlled really by it, it's the GAC that determines its agenda, it would be the GAC that makes the decision on the people that are required.

The fourth model that is look at is one that is financed by the membership. So this means that really every government represented on the, you know, Secretariat, will make a contribution towards really a budget that is required to sustain the GAC. This, you know, would certainly address the perception of independence. I think what has to be borne to mind in this, when you're going for this option, was it may be a very desirable one, is you know, how long this will take really in order to do this, the level of (inaudible 00:13:52) on the part of governments to actually contribute to such a model. And bearing in mind the fact that we actually need that the Secretariat from the capacity now and really not years in the future.

The fifth model that the paper that we circulated looks at is really for the hybrid model. So this would be a model where the Secretariat is partially financed or contribution to its budget is made by ICANN and there will be a contribution that will be made by some governments. It may very well be, you know, that a hybrid model will really over time evolve into a model that is completely financed by governments if that is the wish of the majority of the Secretariat.

So that is the paper that has been circulated and which is going to be discussed on Wednesday.

I'd be quite happy to answer questions relating to this.

I thought, I don't know whether you expected me to go into detail on each of the options and the pros and cons at this point in time.

Heather Dryden: Thank you Joe.

I think that is very helpful for today's purposes. I have a couple around the table that have asked to speak so they may have comments or questions for you.

And as Joe mentioned, the GAC will be discussing this as the GAC this week which I think we need to do. There are certainly a number of issues here that we need to consider further, you know, in a GAC setting.

Also, we are running short of time so I don't anticipate this being a lengthy agenda item.

I understand that some have a meeting at 12:30 so they may disappear at around 12:15 and so we will aim to conclude by 12:15 if we can. Okay.

So, I have Jean-Jacques and then I have Latvia. Please.

Jean-Jacques Subrena: Thank you.

I realize that it is perhaps premature for me to say what I will be saying but you will be discussing this on a GAC only basis of course so I thought I would take this opportunity to add my views on this.

First I'd like to say that Mr. Tabone's study and proposals are extremely interesting. They do give a clear sense of what the challenges are and some of the possible solutions.

My purpose here today is to put on the table an alternative solution which includes some of the views put forward by Mr. Tabone.

Looking at what the task of the Secretariat will be in the coming years, I think that one of the most important features will be to have a very identifiable, powerful would not be the right word, but in any case, a person who is reference for the GAC and who would be the Secretary of the GAC.

Now, there are several ways of looking at this. Do a headhunt, search for someone who will ask for high pay, or the alternative would be to continue doing as presently done. That means one country proposes someone.

I would venture to propose another scheme which would be for the GAC to make a call for candidates and to vote on the most suitable candidate. But there's a trick here. The selected candidate would know in advance that she or he would not be paid. Expenses paid but no salary. Why do I say this? Because I am struck by the fact that in ICANN so much of our work, so much of the value-added in ICANN is due to volunteer work. So I would not find that extraordinary, I would find that even in keeping with the very spirit of ICANN. To have a volunteer elected for whatever you want – one year would be too brief.

Mr. Tabone insisted on the necessity of having some institutional memory, some carryover. So I would say two, three years perhaps.

And under that Secretary there could be two, three, four people, it could be incremental, I mean, a progressive approach starting with one or two. And if you started with two support staff, one could be provided for instance by any member of the GAC which is a volunteer to provide that person and the second person could be support staff provided by ICANN.

By the way, here again I'm speaking in private capacity. I have no authority whatsoever so that this would be possible. I have no idea. This is just a proposal.

So in this way I think the advantage would be to place the level of responsibility at the level of the GAC because it would be the GAC and not one country and not ICANN which would be selecting your head of the Secretariat.

And at the same time, the Secretariat could better reflect the composite nature of your working system, of your budget etcetera, where you would have one member of the Secretariat provided by a volunteer state, another by the ICANN organization etcetera.

And as the Secretariat grows according to the GAC's needs, and not only for budget considerations, then you could augment that in the same way.

So I wanted to make this private proposal.

Heather Dryden: Would you like to respond Joe?

Joe Tabone: Well, thank you very much. I think is certainly another option I think that really should be considered. And what is going to be very important is to get

an agreement on the part of the majority. The paper steered clear of either trying to propose a structure for such a Secretariat because I think that is something that is very much dependent on the role that emerges from the work of the Joint Working Group. So I think that the structure and the scope will be determined there. I think that this paper was really confining itself to the model of financing which really has been the most controversial thing.

The only comment that I would make really to that, I think that it's a very important option to consider, is we have this peculiarity in that this is a very, very important organization, you do have a rotating Chairmanship and I think that it's a very, very important to continue to have that. Also the fact that the Chairman is doing this by virtue of his or her membership on the GAC so that the Chairman typically has another day job really quite apart from this.

So this means having the requisite capacity to provide the support for the rotating Chairmanship and the question I have would have to do with the wisdom of having yet another rotating head of Secretariat as a Secretary.

I think that it's really important in terms of developing this capacity and the necessary institutional memory to keep up with the requirements implied for the GAC that you have various head of Secretariat who is the choice of the membership at large.

But I would be somewhat concerned about having yet another rotating position at the top of GAC.

Thank you.

Heather Dryden: I understand Jean-Jacques would like to respond.

Jean-Jacques Subrena: Very briefly, thank you Heather.

Just to make it clear that my proposal does not in any way suggest the disappearance or the diminishing role of the Chair of the GAC. Naturally not. It's simply that, and also I think that the word "rotation" which you used Mr. Tabone, was not the one I was thinking of. It's not a rotation from one country to another; it would be a selection by the membership of GAC on whatever criteria you choose. It can be a former representative at the GAC or could be a Nobel Peace Prize if you want one and if you can persuade one to give all the necessary time on a voluntary basis. That's more what I was thinking of. Thanks.

Heather Dryden: And now on the topic of the GAC Chair, I believe Janis would like to make a comment.

Janis Karklins: Thank you.

I think this is a very timely and very important debate because what we need – in reality we need two things. We need a sustainability of Secretariat, whatever model we are choosing; we need that this is a long term, sustainable solution. Because until now we have, in ten years we have had three Secretariats and we have very little institutional memory. Good that many documents are on ICANN website but on the GAC website and whether there are physical GAC document archives, I'm not sure. So I'm keeping all documents I am producing or I am signing, originals and I intend to give them to ICANN when my term is over.

But these things are Secretarial things and we need a Secretariat which is permanent and works continuously for the GAC.

And the second, what we need quality Secretariat. Indeed, all of us we are volunteers but all of us we also have our daily jobs and responsibilities. And the quality is the question which requires time. And I observe that the time allocation with governments allow for GAC members to spend on GAC issues is far from ideal. And the quality Secretariat could compensate this lack of time national governments can spend on the GAC and ICANN things by producing drafts and I think that this is essential question.

From proposed models, I believe that only one is really sustainable and that is ICANN-funded Secretariat with all safeguards and protection from potential influence. Whether we are ready to accept that model, I have my doubts. I've heard in informal discussions that some GAC members are not very comfortable.

But whatever we will end up agreeing upon, this should be as sustainable as possible and as qualitative as possible.

Heather Dryden: Thank you very much for that Janis. Ah, Maimouna, please.

Maimouna Diop Diagne: Thank you Heather. My name is Maimouna Diop Diagne; I am the Senegalese representative on the GAC.

On the Secretariat issue, I really want to support what Janis just said. I think what we need is a long term and sustainable Secretariat. And the way to do that, I think, is to get it from the ICANN. If ICANN is ready to help us to have this Secretariat and provide some staff.

I'm also concerned about as the At-Large do, the original Secretariat; I think this option could help some region to be more active and to understand what is going on in the ICANN.

I know that some of our colleagues are not very comfortable of this but I think that we are part of the ICANN, even if we are from government, we accept to be there so I think we need also to be part of this.

Thank you.

Heather Dryden: Thank you very much for that Senegal.

Okay, I think that is the final intervention on that agenda item. So let's move now to objective number one and the matter of how to look at the issue of GAC providing public policy advice to the Board. I think this will be our last agenda item for today because it's around 12pm now.

So what I would like us to focus on is what we might look at and how we might consider the process of providing advice in order to make recommendations on this particular item.

I note that in previous discussions in the Joint Working Group we have referenced the GAC Principles documents as sort of main pieces of advice that we have provided to the Board. But that's still quite general.

We also provide advice in the form of communiqués and so on. So I hope that colleagues have some suggestions to make as to how we might proceed.

So the floor is open.

Norway, please go ahead.

Ornulf Storm: Thank you Chair.

Just a question on the Working Group. Have you, regarding discussed different options of formalizing, like you said, there are different kinds of advice from the GAC to the ICANN Board, they might need to be sort of detailed in the By-Laws or in our Operating Principles and also what we have discussed in the past, the communication of which is of course in this document that you have produced. If we are then asked for advice formally or we then just advise on our own initiative etcetera. So I think it might be put down I think the reason why this question has come up is because it's a bit unclear the status currently so we need to maybe start to define ways of the GAC can give advice and just to make it clearer, both for us but also for the ICANN Board. But I would like to hear, or if you had sort of discussion on this in a previous, thanks.

Heather Dryden: Thank you Norway.

I don't know whether you're prepared to provide a view on what you believe constitutes formal GAC advice but now would be a fine time to add that.

Ornulf Storm: Well, we believe that formal GAC advice constitutes several things which is listed here – the Principles that GAC produces – I said the Principles and the wording of course Principles is more overarching – and we then provide more detailed advice through our communiqués and through the letters. And I think they are all forms of GAC advice. They all are GAC advice. But of course they are different forms and different levels of details. And I think also sometimes we refer to the GAC Principles on certain issues and then we then further detail or trying to explain what we meant in that principle and what that should be sort of how that should be understood. So I think that in both the communiqués and the letters, we then detail more than we have given in the Principles which are more overarching. So I think that's at least the sort of the first impression view on what constitutes GAC advice. And the experience of sort of sometimes the response to the GAC advice has been a bit unclear. Sometimes sort of at least we have the experience that we have had in the GAC is how the ICANN Board has responded to either the Principles sometimes responded like for example, some of the responses to the letters which have been sort of a proper response to the different issues that we would put in like the gTLD letters that we produced recently then we got a sort of response that can be identified. But other times we have had sort of maybe responses but we've not been really sure if we have got a response to this or not. That can be for example, things in our communiqués, that we are not sure that we actually got a response. Then of course might we can find a kind of a response in a resolution by the ICANN Board but we are not sure. So it's not addressed specifically. So that can I think be improved.

But also then our GAC advice must be sort of maybe improved in the response that well in the way that it's clear to the ICANN Board that we are actually giving advice. So it's both ways I think.

Thanks.

Heather Dryden: Thank you very much Norway. So we have a proposal that once of the difficulties in receiving responses from the ICANN Board is due to possible lack of clarity over what constitutes GAC advice, which seems like a perfect question for someone from the Board to respond to, if not today, in the future.

But in the speaking order I have Janis and then I have Egypt and I have Sweden and France and then I have Italy. Okay.

Please go ahead.

Janis Karklins: Thank you Heather.

I think listening what Ornulf said, we need to define which GAC communications triggers by-laws provisions and if is not followed. I think that until now we never tried to define this threshold and it was kind of instinctive communication with the Board on the issues. If we are able to do so, it would be very good.

But we need also to take into account that the role of the GAC in last years has changed considerably from the outside judge, if I may use that, who comes in and makes pronunciations or judgment when things are done already, GAC has become one of the many parties involved in policy development processes and provide inputs from the very beginning of policy development processes.

And personally I don't think that everything GAC says constitutes a formal advice which triggers by-laws provisions. This is input, this is public policy perspective in the discussion which is not a formal advice.

So whether we will be able to identify which constitutes formal advice or not, honestly I don't know. Maybe the best way is to do it on an ad hoc basis, say that all Principles should be considered and treated as a formal advice and if not followed, automatically trigger by-law provisions. But then everything after we decide whether that is formal advice or not, when we communicate with the Board and with other communities, and I think that that would be the most flexible and easiest way forward, otherwise we may be stuck in endless discussions and disputes about this question.

Heather Dryden: Thank you very much Latvia. Egypt is next I believe.

Unknown female: I also want to add that we need to make sure that our advice or at least our GAC Principles also reflects into the process. I mean, taking it a step further, not only an acknowledgement but also that it reflects to the process in place. Because frankly from our experience with our IDN delegation, I don't feel that the GAC Principles are followed in the process in place, I mean. And I'm not sure how the GAC Principles are interpreted within the different processes or, I mean, do we pass them officially to processes or they should adopt them automatically or I mean, what's the mechanism?

Heather Dryden: Thank you Egypt. Next I have Sweden and then France and Italy.

Unknown female: Thank you Heather.

I would just say that I would like to add to what Norway was saying because I agree very much upon what you told, what you said about the process. And also how GAC advice actually are taken care of. I mean the feedback from the actual advice. And as opposed to the advice could be a part of a public consultation and maybe they're handled in a certain way or it could be a letter

we write to the Board also, are those kinds of inputs take care of in different ways for instance. That would be interesting to know. And either way the response is very important and the feedback is very important. And also it's interesting whether to know whether other stakeholder groups or advisory groups had contradictory advice, what is actually going to be the result out of all of this together in the actual decisions.

And of course I also agree with Norway that it might be the case that actually the advice from the GAC could be more targeted or focused dependent on what the Board likes or wants so it's certainly both way around, maybe we could work a little bit, well maybe not quality but context of advice, that's also something that I would like to know from the Board.

Thank you.

Heather Dryden: Thank you Sweden. France please.

Unknown male: Thank you.

I just would like to support the notion that fundamentally the main question is what triggers the obligation for the Board to respond, to take into account or to explain why it didn't follow. So fundamentally, the question for the GAC during the discussions is to determine when and how we collectively want to trigger that provision, i.e. whether it is a stage where we want to put very early on a principle that has to shape a further discussion or whether at a certain stage of the discussion, there is something that is to be adopted where there is a problem and this must be said very clearly. But fundamentally, it is not the type of document that says it's formal or not, we can decide that one type of document or another is formal, provided that we want to trigger this mechanism between the GAC and the Board.

The second thing is, you will see in the document that there would be a benefit for everybody I think including for the GAC but also for external actors to elaborate a sort of topology of documents. We've already done that because the Principles for instance is something that has begun to shape quite nicely.

We could have other elements like issue papers, like saying, "We're at an early stage of the process, we just draw attention to the following points that need to be taken into account in the process," for instance in the GNSO process or in the PDP.

There can be other elements, very concise or more detailed. But there should be a benefit in having a topology that we progressively elaborate.

The last thing that I want to say is this is also about as Janis said, the evolution of the involvement of the GAC. And as we were discussion in the part related

to the liaisons, it is beneficial for the whole community to facilitate interaction among the different stakeholders as early as possible in the processes.

And in this respect I must confess that I'm a little bit disappointed that the work that has been done in the GNSO regarding the Working Group model seems to continue to contain the mechanism within the GNSO instead of thinking about a more community-wide mechanism early on. Because in that case, this is a way for the GAC to input elements at different stages of the process instead of what happens too often which is intervention later on that needs to be stronger and therefore likely to trigger tensions between the different bodies.

Thank you.

Heather Dryden: Thank you France.

If I try to put together an emerging question that we might put to the Board, it's been GAC colleagues so far that have spoken, but it seems that suggestions being made are seeking to determine what happens to a communiqué, a principles document or a letter in terms of process once the GAC issues it.

And please refine my question and respond to it because I think we need to find a way to advance our consideration of this question.

So please, Italy and then I have Ray.

Unknown male: Thank you Chair.

So I want to say something in the direction of what Bertrand was saying. We are in a moving situation and the role of the GAC is more and more interlinked into the ICANN structure. And the communication we produced up to now are basically three communiqué per year, then the Chair is participating into a larger number of Board meetings so there is also an occasion to say something for the GAC. And then we have the GAC Principles, in the past we have produced the four or five, exceptionally in one year we produced two GAC Principles, the gTLD and WHOIS.

But normally the GAC Principles are coming out occasionally let's say.

And but let me make the example that the first version of the country code, the GAC Principles were produced internally in the GAC without talking the other constituencies. While it has been pointed out the fact that also in the years, recent years then the GAC is interacting with country codes supporting organization and other constituencies, this is very important.

So the point is that now with the implementation that should be activated, we hope quite soon, of the new gTLDs plus IDNs and all the process of the review partners are very, very complicated matters that ICANN is involved in and the GAC also is very active in interacting with the community about these problems.

So in this case, for example, new gTLDs maybe the GAC Principles are not enough in the sense that as soon as the steps of the implementation goes on, we have to be there, we have to be present and that perhaps the Principles are not the most appropriate kind of messages that we deliver.

This is something that is important for the GAC to decide, in this complicated process, how much we want to be involved in the steps of the implementation or we want to stay and wait and see and eventually to signify that there are public policy problems that are coming out from step into another step.

So actually I think that the communication of the GAC, the formality and the value each time has to be elaborated inside the GAC but I would like now to listen to some opinions from the Board members how they see this evolution.

Heather Dryden: Thank you Italy and that's a perfect set up for my colleague Ray to comment. Please.

Ray Plzak: Actually I wasn't going to respond to you Stefan, I was actually responding to Heather's question which appeared to be a process question and that's really where you're going.

When you say what happens to the advice, there's two things. One is what was the net result of things and then the other thing is that once the document leaves here, what is the process that it is subjected to in order to get to the point where, and so I think you're asking the second question Heather and so I will take that on and I will report back to the Working Group what the internal machinations, if any, are and then we can probably work a little bit more from there.

I would like to say one thing in response, in addition to what Bertrand was saying about participation. And he is very, very correct in that the longer that the GAC waits to provide input into the policy process, the much more stronger the wording has to be and actually the likelihood and chance of it being effective actually diminishes.

And it's actually counterproductive to a bottom-up policy development process. You know, you need to be at the bottom in order for a bottom-up process to work. So something that I think that needs to be considered and actually maybe goes into some look at the, in light of the liaisons to the Supporting Organizations where all of the policy work is being done, what

kind of an interchange can occur there to get these perspectives into the process at the lowest possible point. Because the earlier that those perspectives are introduced, the more likely they are going to be incorporated all the way through the discussion and also the more often those perspectives are introduced at the lowest level, the more likely they are to be assumed parameters going forward by the discussion groups.

So I think that part of this whole discussion is trying to find an effective means of doing that.

Suzanne Sene: Excuse me, this is Suzanne. Could I just chime in?

Heather Dryden: You can intervene following France. So I'll put you in the queue Suzanne. Okay?

Suzanne Sene: Thank you.

Heather Dryden: Just in response to Ray, thank you for offering to pursue this research question. And I think we can certainly refine it. I'm reminded by the comments that Sweden made for example that what happens if you get contradictory advice, so then in that case, it might be of interest then what does the Board do if it receives GAC advice and what happens when it receives other inputs from other parts of the community. What actually is the mechanism and how, you know, are those issues managed? And perhaps that would be of use to us in our work.

So please, France, over to you.

Bertrand de la Chapelle: Yeah just a brief reaction to what Ray was saying.

First of all to say that on the substance, I think we're absolutely in line, this is the main question. I would just suggest however, a slight rewording of what it is he was saying.

Instead of saying the longer the GAC waits to provide input, I would reword it in saying the later the GAC has the ability to participate in the process...

Ray Plzak: That is what I meant!

Unknown male: I know, this is why I'm saying it.

And this points to the very big question of how the PDP evolves.

So liaison, PDP and GAC advice are three interlocking components.

Heather Dryden: Thank you France. And now I think we have the last speaker, oh I see the U.K., you would like to speak? Okay, so Suzanne, United States and then the U.K. and you will be the final speaker today and then we will close the meeting. Okay. Please, U.S.

Suzanne Sene: Thank you Heather and thank you Ray and Bertrand for your most recent interventions, I couldn't agree with you more but I wonder, I think this does raise an issue about the By-Laws. Because it is my understanding that the By-Laws provide for the GAC to provide advice to the Board such that it is primarily or only the Board that has an obligation to review such GAC input. So I would agree completely with Bertrand that we might want to factor in views on the whole policy development process because currently, as structured, no other SO or AC is actually required to factor in GAC input. So that's not to say that any of these other SOs or ACs are not willing to or not interested, that's not what I'm trying to say. But I think legally, under the By-Laws, it is only the Board that has the obligation to consider GAC advice. So I do think we need to add that into our deliberations here because we may wish to propose either amendments to the By-Laws or amendments to the policy development process so that we are involved at an earlier stage in the game. Thanks.

Heather Dryden: Thank you very much U.S. And it is a useful reminder that Objective Number One and Six are, I think, closely linked, so we must keep our eye on both those Objectives in the report so that they're consistent and that we're able to take into account all that we need to.

Over to you United Kingdom, please.

Unknown male: Thank you Heather.

Just coming in on the point about the timeliness of GAC advice. We would certainly sympathize with Ray's view that the earlier the better and we all want to engage in the development of policy as soon as we can. But we shouldn't lose sight of the fact, the way that the GAC works is based on consensus. So you have to work back from a consensus position to individual GAC members reconciling their individual positions so that you arrive at a consensus and then working further back, each individual GAC member feels it's important to consult within administrations, to consult stakeholders, in order to formulate the initial national opinion to feed into the process of developing a GAC consensus. So we shouldn't lose sight of the fact that we can't just turn around as the GAC and immediately respond and engage to steer a policy in a particular direction right from the word "go." We just can't do that, it's not the way we work. So just a reminder of that important feature of the way we work, we need to consult our stakeholders and within administrations and then consult with GAC colleagues here. We try to do that as quickly as possible through inter-sessional work but, you know, we're a big

membership and we have to take account of a lot of views. So I just wanted to underline that, thanks.

Heather Dryden: Thank you very much U.K. With that, I think we need to close the meeting. I think we've had very productive discussions today so thank you very much for coming and in particular to the various drafters for taking on their various tasks in developing the report.

Ray you may wish to chime in but we're anticipating inter-sessional calls and I would remind you that we are aiming to finalize this report at the June meeting which is the next ICANN meeting. But we've made very good progress I think today so we can feel confident that things are progressing.

And we also have a bit of research that GAC colleagues have tasked our Board colleagues with so we look forward to getting some feedback on that.

So let's continue the discussion on the Joint Working Group list and don't hesitate to contribute further online. We will need to focus quite a bit on the inter-sessional aspects before the June meeting.

So, Ray, is there anything you would like to add?

Ray Plzak: Well to say that I think that we did have very, very productive session this morning and that I think that we did achieve some focus. I think that there needs to be more discussion into the way that the GAC participates in the public policy process and that the provision of advice is maybe not necessarily a, all the time, considered to be the big piece of advice from the GAC en toto, but there's other ways, and that's why I mentioned it in my intervention earlier about somehow or other using the liaisons in this regard would help this matter along. So as the GAC goes through and deliberates this matter of advice, it may also want to consider other ways in which it can filter, if you will, its advice into, without having to come up with formal declarations. So that's just food for thought and I have to run, I have to chair another meeting that starts in five minutes, so I want to thank you all for a very good session today and look forward to chatting with you again on the next inter-sessional meeting.

Heather Dryden: Thank you.

Janis Karklins: Thank you Heather, thank you Ray for chairing the meeting. I remind that that next session starts at 1:30pm with the presentations of staff on new documents related to new gTLDs. Kurt Pritz will need to leave 1:45pm so therefore please be punctual and come back 1:30pm when we will start presentations of the staff on the new documents related to new gTLDs.

Thank you.