

ICANN Prague Meeting
GAC cCNSO Discussion- TRANSCRIPTION
Sunday 24th June 2012 at 09:30 local time

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Coordinator: Recordings have been started.

Stephane Van Gelder: Thank you very much. Welcome back everybody. This is the second session of the day for the GNSO Council working weekend. And we are now going to talk about our meetings with both the board today and the (CCNSO) tomorrow.

We'll start with the board. We initiated that discussion yesterday. Once again, the aim of this meeting or discussion is to iron out the topics that we'd like to discuss with the board.

And possibly single out any volunteers or participants that want to lead a topic if there is a desire to do that. And then we'll look at the - our meeting with the (CCNSO).

What I'd like to do though is try and get us back on time. So I will try and keep both discussions to about 20 minutes. And I'd also like to ask John Berard to lead us into the discussion with the board.

John you sent me an email, or you sent (Alist) and email yesterday or this morning with - okay, so in that case, (Alist) has not seen it yet. So let me, either our turn it over to you to make the points you want to make or read out your email. I'm happy to do whichever suits.

John Berard: If you could forward it that would be great. But just in terms of what I sought to do was to take the initial suggestions and revise them based upon some of what we discussed and some of what was heard in the hallways.

So as to make it not just meaningful but current. So that the first item is, in terms of recent decisions and actions, making the move to eliminate the public board meeting on the Friday of the public meeting.

Anticipated costs of the (URS) and the technical glitches leading to the suspension of (cass) and digital archery functions of the new gTLD program. Those decisions have triggered significant community discussion.

How might ICANN's communication be improved by tighter coordination with the GNSO Council in light of the council's role and reach into the community?

So I thought that this was a way to express our desire to have closer collaboration with the board, particularly on issues that might be seen as controversial, or certainly more than casually interesting.

For example, at the CSG breakfast this morning with Bill Graham, he, in his comments, talked about the fact that the board was backing away from digital archery.

And so I said, well gee Bill, yesterday I saw the news release. And it said that you guys had suspended it so as to have time to deal with technical concerns. And now here you are, saying that it's - you're backing away from it.

So can I get a yes or no answer as to what your intentions are? And he said, no you can't. So it's this kind of uneven communication that, because of our role as an interface with the broader community, we could be helpful to the board.

Stephane Van Gelder: Can I just stop you there and open that up for discussion? I think there's two interesting points there. The first is that our press release probably needs to be read in its entirety.

And it said that the technical problem, and due to community input, we've decided to stop it. So there is recognition there that, and certain I had, not as GNSO Chair, but as my - as part of my day job, I had discussions with some board members.

And have expressed a concern on behalf of my employer net names that the digital archery and the batching might be a problem. I know other companies have as well.

And I felt that was in that PR release that read. But I agree with you. There's a lot there coming at different, you know, from different directions. And it's difficult to know exactly where these decisions come from.

So that doesn't mean necessarily that we want to go there. But that is a stated fact. So let me open that point up for discussion. And I have Jeff and then (Thomas) and then (Mary).

Jeff Neuman: So this is Jeff Neuman. John, the decision to suspend digital archery, we don't know if that came from the board or that came from the staff. So we have the discussion with staff. And this is one of the subjects.

I'm not sure - I do agree that we should talk to them about communication and who is sending the message. And making sure that we don't get inconsistent messages.

I think one of the fundamental problems that we have now in the ICANN world is that we're talking to board members that, in theory, really should be the job of a staff.

And we're talking to staff about things that (might be in the period) of the board, we're kind of mixing the two up. I think the discussion with the board, it's almost like we have to take the one step higher than just asking that. And really just focus on the communication.

Man: So I don't mean to distract this with the sort of sexy ephemera of digital archery. So that the point here is that we can be - we think we can be a useful ally.

So that's the issue. How can we become more of an ally on - at times when it is clear that the community have a keen interest in decisions, whether they're board or staff generated.

Jeff Neuman: Yes, I just, you know, my point is I don't want us to get (sporattled) on the first question of the board because we're likely to get an hour's worth of discussion that's not going to lead us anywhere.

Stephane Van Gelder: Well I think approaching it from the point of being an ally is probably good. While we talk I'd like to stay on point of actually re-working the topics if we need too.

The first topic that we have from the document that you sent to the list that was sent to us that has all the board question inter - all the board interaction questions.

So the one that we sent with specific discussions with the board regard the newly established, new gTLD committee and how does it function? How can the GNSO help liaise with this committee and collaborate?

How can ICANN, this is a second point, communication - how ICANN's communication could be improved in the light of Friday's URS and the task letter?

I think that's the basis of what you are saying. We could add there how can we help for example. So I'll do that, (Thomas).

(Thomas): Thanks Stephane. I think when it comes to, you know, there are two sides to these issues. One of which is communication. I think we should highlight that particularly with Fridays. When (Steve) sent out his second message after the announcement was made, a lot became much more clearer to, at least to me.

But we saw that there was a - that there were certain issues with the tasks. There was the IANA issue going on. And during that phase, the ICANN Board chose to drop Friday's public meetings and turn them, or replace them by one public meeting on the weekend before.

So I think that sets a very dangerous precedent in that communication. So I think that the board did it with the best intentions. But that's indicated differently.

The other thing to, (unintelligible), the role of the GNSO, and that's a point that I would like to make. And I'm (unintelligible) to do so that we've seen, in the recent history, several occasions where the GNSO has been bypassed.

First of which was (IOTRC) where the board has made a decision without consulting with the GNSO, and this decision overrules previous GNSO policy, which I think is dangerous.

And then you all know the story that came afterwards. The GNSO tried to accommodate and help the board after that decision has been made...

Stephane Van Gelder: What's your question (Thomas)? Sorry, what's the question that we need to ask?

(Thomas): We're preparing for this meeting. And we should highlight that the role of the GNSO is to be consulted. And that hasn't happened on the (IOTRC) thing. It hasn't happened on URS where we find out in the budget document that ICANN is trying to consult with the community, bypassing the GNSO.

And then we have the digital archery decision that was made after we had raised concerns with Kurt when he first presented it. The board has none be less moved forward with it. And what we now see is that the GAC is complaining that there was no communicate consultations, which shows that bypassing the GNSO at that (third) location was not a good idea.

And I think that we should make this very clear to the board that we are allies. That we're not allied in fixing mistakes that happened made bypassing GNSO Council.

Stephane Van Gelder: So if I said concerns of the GNSO Council was bypassed by the board on some policy matters such as, and I forget the examples you read out. But IRC...

(Thomas): I'm happy to say that.

Stephane Van Gelder: I'm just trying to get in there, you know.

(Thomas): It's (IOTRC)...

Stephane Van Gelder: (IOTRC) yes.

(Thomas): It's URS.

Stephane Van Gelder: URS.

(Thomas): And it's digital archery too may be the most prominent one. So I think that another point was...

Stephane Van Gelder: (VI)? Sorry, just trying (unintelligible) to into the discussion.

(Thomas): No, what Kurt mentioned, if we wanted too there's another point where the board caused difficulty was (Steve) over promising with the RAA negotiations. I think that was also, you know, something that could have been handled differently.

Stephane Van Gelder: Okay thank you (Thomas). I've got that out. I'll re-read it once we've gone through the discussion, the points...

((Crosstalk))

(Thomas): Volunteer to bring that up.

Stephane Van Gelder: Okay thank you (Thomas). I have Mary next, then Wendy, then (Adam).

Mary Wong: Thanks Stephane. This is Mary Wong. I was actually going to make a very similar point to (Thomas)'s. So thank you for making that. So I guess my comment is now changing to I support (Thomas)'s point.

And I think that we need to make it fairly clearly. And then therefore, I think also, going back to John's questions and how we're trying to frame this. It's more than just the board communication and how can we facilitate and help that.

I think that's an important positive thing that we want to say. But it really is about the role of the GNSO and the council in facilitating the board's engagement with the community in making decisions.

So if there's some way we can frame it that way. And highlight the point (Thomas) has made. I think that would be a lot clearer.

Stephane Van Gelder: I'll resend the basic text that I have. I want to keep the question - the ICANN's own written items very short. But what I have right now is we have concerns that the GNSO Council was bypassed by the board on some policy matters, which is probably not very diplomatic, by the way.

So if someone want's to re-write that. I'm just doing it on the fly. Such as (IOC) URS, digital archery, and this would be led by (Thomas). And just John, would you be leading the communications point just before?

John Berard: I certainly would be willing too. And, in fact, if you're looking for a conciliatory way to access this discussion, we could say that we very much want to be an ally in communications.

That in order to do that we would benefit - we could benefit from better consultation, particularly as is the nature of our two groups. And in some (unintelligible) the consultation has not occurred in the way that we think it could have. And that could then lead us into the points that (Thomas) has made.

Stephane Van Gelder: So I'll let you say that when, you know, when we're having the discussion on...

Mary Wong: Stephane?

Stephane Van Gelder: Yes?

Mary Wong: Can I just follow up really quickly? And since you're rephrasing it along the points that John's made. I would suggest that instead of saying policy issues,

because I don't want us to get derailed into a policy versus implementation discussion.

I would say something like issues of concern and serious importance to the community.

Stephane Van Gelder: Issues of concern and serious importance to the community. (Unintelligible), you know, anything on the fly so it feels like the UN.

So we have concerns of the GNSO Council was bypassed by the board on issues of concerns and serious importance to the community, such as (IOC), etcetera. Okay that's what we have. Now Wendy next.

Wendy Seltzer: Thanks. And so last time we met with the board they asked us what our GNSO Council's strategic priorities, or something along those lines. And I think it would be good to be able to phrase some of what we've been saying as a response to that question.

I think some of these things, rather than why isn't the board consulting us, we can phrase it in the positive. These are our strategic priorities for one to engage in the process on URS, protected strings, RAA. And here is how we are planning to (unintelligible) the work that's currently ongoing.

Stephane Van Gelder: Thank you very much. I've amended that. I think that's a very good point. I've amended the item I've just read to add a line saying, this is one of our strategic priorities, in brackets, engaging in these processes with the board. Is that more or less okay? Alan.

Alan Greenberg: Two brief comments, Stephane you said before this may not be the most strategic way of, or the most...

Stephane Van Gelder: Diplomatic.

Alan Greenberg: Diplomatic way of presenting it. I think what we're looking for are working relationship with diplomacy is not the major issue.

And in line with that, I think one of the things that (Thomas) said, not diplomatic, but I think will hit home is we are looking for a working relationship. Not just fixing the errors of things the board unilaterally decides on.

Again, not necessarily polite but really to the point. It's getting more and more frustrating doing that. Thank you.

Stephane Van Gelder: Thanks. So if you look at just going on from there. If you look at the last point on the list of items that we have in the documents that was emailed to you. And Glen probably passed around.

The last points was talking about transparency and effective communication. And it was a question that we'd actually asked them that (lest) got passed as is to the board. So we need to rephrase that.

And I was starting to rephrase it by saying another one of our priorities is transparency as well as effective communication. Can we ask you what else you are considering in terms of changing formats and durations of ICANN meetings or holding different types (unintelligible) that the GNSO can help them? How does that sound?

I see people nodding, John.

John Berard: So the revision to that that I forwarded to you and the Vice Chairs earlier I think may - well to my ear, what decisions are being contemplated by the board?

Perhaps further changes in the public meeting or new programs and budget allocations, which I think is an important point. Where the GNSO Council can

offer advanced perspective, which I think speaks to Alan's point that we get in before they - the wheels come off the cart.

And then you could conflate that with the other one I sent you regarding the new gTLD committee, (or mention) leadership of that program inside ICANN. And what we know now about the size and scope of new domain name extensions. How will the energy of this specific program affect the organization, its profile and the approach of ICANN overall?

One wonders if the new gTLD program will become - will (subsume), will (reach) the rest of ICANN. At least I wonder that.

Stephane Van Gelder: So that is - that has me adding two points to the list. The first is, let me read it out. Another one of our priorities is transparency was effective communication. What decisions are being contemplated by the board? Perhaps further changes in the public meeting or new programs and budget allocations?

Whether GNSO Council can offer advance perspective. That's a straight copy from what you said. Add it to the initial point that I just discussed.

The second one which is a straight cut and paste from your email John, which I'm having trouble formatting. I'm getting there. Bear with me. Regarding the just established new gTLD committee, the change in leadership of the program inside ICANN and what know now about the size and scope of new domain extensions.

How will the energy of this specific program affect the organization profile and approach of ICANN overall? (Thomas).

(Thomas): The wording is fine. I'd like to propose an additional point. And that is to ask the board how they envision to overcome interim periods with both the CEO and the manager of the gTLD program and also help with this?

I think that it, you know, with Kurt being interim chair and (unintelligible) interim project...

Stephane Van Gelder: How would we help?

(Thomas): Cross communication, I think if there is no gap between what the new gTLD program manager does and what the interim CEO does and what the GNSO can support. That will bring the community behind (unintelligible). That is weak by nature.

Stephane Van Gelder: Can you, sorry, that just went too fast for me. Can you either write it down and send it to me or - so I can add it? That was just...

(Thomas): Maybe nobody likes the idea so...

Stephane Van Gelder: No, no, I'm not saying that.

(Thomas): No because I can try to rephrase it so that everybody hopefully understands. And interim person, well...

Stephane Van Gelder: No that's just here say. Let's just hear from, because I understood what you're saying. It's just you spoke - I didn't have time to write it down. But I understood what you said, Zahid.

Zahid Jamil: I just want to make sure that we're not, you know, (mission creep). We have a scope where we work on policy. And the way it was phrased sounded like we wanted to help communication or assist in some way in operational security issue or project issue, which is not our, I believe not our purview. That's my understanding.

But if we could phrase it in a policy context, that may be better or may be an implementation ex - you know, policy issue which we've been asked to do

sometimes. That may better. But it's important that we don't look like we're trying to (mission creep).

Stephane Van Gelder: Which is why I was asking how can we help? Just to understand exactly what we're suggesting. Because we can just go and say hi board, we can help you. And then get in all sorts of trouble.

(Thomas): Thanks for clarifying that. That was certainly not my intention.

Stephane Van Gelder: But I thought, I think you're suggestion too, I mean I don't want you to get the idea that the suggestions aren't good. It's just that we have make sure - we have to be very careful on how we present them, Marilyn.

Marilyn Cade: Thank you. My name is Marilyn Cade. I wanted to mention the document that the ICANN staff had sent out from the board which compiles the suggested topics from all of the stakeholder groups and constituencies and other groups that are going to be meeting with the board.

And raise a related question about how you've been able to reflect what is document and your focus on your interaction with the board about gTLD policy issues.

So I appreciate your comment Zahid. I would also like to raise a question for you that I think is directly related to gTLD policy and the work that the council and the interim period.

The interim period has an acting CEO who is the existing COO who already has a full-time job. As far as I can tell we have an operational performance challenge that we're dealing with. And we all recognize that.

So the board's going to approve a budget by in a consent agenda that continues to scale up, while we have fewer resources at the leadership level and a delay on the arrival of the CEO.

From a policy perspective, I guess I would be very interested in whether the council would raise a question about how the board intends to scale back in terms of activities. To make sure that operational performance and its impact on policy and on the organization can be (used) significantly during the interim period and can be stabilized.

I think I'm looking at an organization, and I'm sure the board is as well. And that's on the list for many of the organizations. But I think you guys are looking at the policy implications. You probably are trying to understand what does it mean to you in this interim period.

And if all of the work related to the implementation of the gTLD program is going to come to the council as opposed to be dealt with in some other way. I'm wondering how you think that can affect your own operational performance.

Stephane Van Gelder: Zahid do you want to (comment)?

Zahid Jamil: Tough act to follow. But no, she's answered right. I just wanted to say that this answer (unintelligible). One of the things I think everybody's struggling with is that we're getting so much work coming from the top down.

And we're actually (turning around) and look at what we discussed yesterday and in the previous meeting saying that things that are coming bottom up are saying we don't have time.

Sorry, we got other priorities. Push it to the side. We'll look at these resolutions later. And we're doing top down work as opposed to bottom up. And we're not getting the chance to sort of totally think about and the issues that are going to be developing.

And there's going to be a lot more of it in the coming months. So I think that may be something helpful to bring up to the board.

Stephane Van Gelder: I agree with the sentiment. I just want to bring this to a close pretty quickly. But I do want to come back to what you and Marilyn have addressed.

You will recall that I think it was at the last meeting at, where were we, Costa Rica? I believe that we have volunteer workload priorities, burn out, whatever we called it, on our list of questions with the board.

And I believe what you are saying, although it's a reframe of that question. It is that very question. And I believe we've already addressed that with the board.

Didn't get much of an answer. But in judging from the points that you are both making we are still - we still have more questions than answers on that. But given the list of topics that we have on the table, and don't forget these things, you know, these discussions tend to get stuck in one topic and we have no time for the rest.

I would be weary of adding another topic, even though it's one that I firmly believe merits consideration.

Marilyn Cade: Can I just clarify. That was actually not my point. So I need to clarify. My point was that the board made a decision, for one reason or another, to have a new CEO who will not be here for 90 days.

So they're doubling up. They've made an executive decision to double up the work of somebody who is already has, as far as I can tell, a full-time job, the COO.

So in the interim period, I do think there is a transition question. How is the - how is that transition period going to affect the resources and the availability of time and attention to the issues relative to the GNSO council?

The rest of us do plan on raising that with them, as you can see from the list.

Stephane Van Gelder: Yes I actually avoided that point. I mean there were two points in what you both said. The second one was linked to, you know, bottom up versus top down. We're so busy we can't do both.

The point you've just reemphasized Marilyn, I personally believe, and that's only my own personal opinion, it's actually not a board decision. I'm not sure what you just said is actually correct. And that the board decided that the new CEO would start on the first of October.

I believe that's an outside circumstance that was forced, from my understanding, on the board because the person couldn't start before. So to me that's just an operational, you know, accident almost.

You got a new CEO coming in. He can't start now. So there are other things that need to be done. I'm not sure the GNSO Council needs to address that with the board is what I'm saying, but (Adam).

(Adam): You know, (Steve) made it clear it was a board decision. That they felt this person was the best person among the options they had. That it was worth waiting three months, although that was far from optimal. But I don't believe it's a GNSO issue.

Stephane Van Gelder: But that's what I'm saying. They (unintelligible) the best person. But the fact that he can't start until the first of October, which means there's doubling up of (acroms), duties, which is the point that Marilyn's making, that's not a board.

The board didn't go into this saying we don't want anyone to (unintelligible) the first. They said we want this guy. He's the best. But he can't start then so we have to find...

(Adam): But they acknowledged that was a decision they made. They could have gone with someone else who could start immediately. Chose not too, but I don't see how that's a GNSO issue.

Stephane Van Gelder: Okay, Marilyn are you happy? I wouldn't like you not to be happy.

Marilyn Cade: Let's say I'm going to accept it.

Stephane Van Gelder: Okay good. So I've got a list of topics I will send to the list now. And I'd like to move to the (CCNSO) discussion for the last 20 minutes of this discussion.

Did we have a list of (CCNSO) topics? We, Jeff and I have been trying to find it. And we can't, which is worrying, (Jonathan).

(Jonathan): Stephane I believe we did. But it strikes me looking at this, one of the issues when we look at our meeting with the board and the rest of the community stripes, they call the groups now. Is that people are coming at this from quite different angles.

So one way of linking these might be to talk with the (CCNSO) a little bit about why they prioritized, what they did, all about their interaction with the board.

So it might be that we can link these two in some way. That may be a topic for us to discuss with the (CCNSO), just run over our - I'm not sure of the timing. When they meet. When we meet. But that could be something interesting.

Man: And (Altro) also out for consideration, a discussion on cross community working groups. We got the (CCNSO)'s response to an initial report that from - of our work. And perhaps that's another area where we could have fruitful conversations.

Stephane Van Gelder: What's the wording? I need wording.

Man: Let me get back to you on that.

Stephane Van Gelder: Okay, Marika.

Marika Konings: This is Marika. This is from the (unintelligible), and I think that I circulated this all to the council yesterday when you started discussion on the different topics for all the groups.

And this was a pick up the discussion. What effects the huge number of registries might have on our work and structure now that we know we should expect something in the range of 2K new gTLDs.

And discussion on how we can engage around areas of mutual interest such as emerging issues in the development of policies from law enforcement requests.

Stephane Van Gelder: Thanks Marika. I actually would like to get to that first point. And possibly taking a leave out of Alan's earlier, both not be so diplomatic.

We keep on skirting around this issue of the impact of new gTLDs on both (ccGLDs) that will operate new gTLDs. And we just addressed it ten minutes ago in the (unintelligible) session as well.

And as far as I can see, we've never really gone into that issue with any great energy with them. Probably for good reasons that we didn't want to appear too aggressive, but - which we're not obviously.

But that is a question that is becoming - is looming larger and larger on our horizon, all of our horizons as we progress towards a new gTLD program. So perhaps it's one that we would want to delve into with more vigor, (Jonathan).

(Jonathan): Brief response to that Stephane. I mean I think it's interesting that the timing is quite different now because prior to going into that question was, you know, in a sense asking what their intentions were.

We now know in many instances what is going on because we've had the reveal date. So it does make it more timely and more appropriate to at least start that discussion now.

Stephane Van Gelder: So what would be the wording there? I'm starting a sentence which says we see beyond pick up the discussion what affects a huge number of registries might have on our work instruction now that we know we should expect something back. That is basically all we're saying there is what we said with the GAC right?

Man: I think I can help this Stephane. In one sense if you recall, and I'm sure you all do, that at the last meeting the board asked us to try and give some indication of what the impact of the new gTLD program would be on ICANN and its structure.

So in many ways that gives the lead into the question that (CCNSO). You know, we've been asked by the board to indicate where we think this might go and to be interesting to (TMS) context. So that leads to my mind into this question of the (CCNSO).

Stephane Van Gelder: Just asking Jeff to take over for ten minutes so I can write down what's being said. Thank you.

Jeff Neuman: Okay so I see Joi. Anyone after Joi and Zahid, okay Joi.

Joi White: Thanks Jeff. Just a suggestion if you want a couple of suggestions for the board in the area we were (turning) discussing.

It might be useful to point to for example whether or not, or how (unintelligible) might be looking at issues of having multiple dispute resolution systems for registrants who are registered at the ccTLD level and also in relation to new gTLDs.

Are they developing policies around that? Are they anticipating and doing any preparatory work around new registrars taking to register in the ccTLD spaces in light of the new gTLD program. You know, just from examples of things where there may be doing more work.

The other thing was just on the law enforcement, the (new dimension) issues point. I think a useful question to ask them is to point to the policy issues that we're facing in the GNSO Council around for example the RAA amendments and issues that have arisen about privacy and law enforcement agencies working together.

And ask how they, what are their experiences. Do they have anything they can offer in terms of how the (CCNSO) I mean doesn't engage with privacy offices as well as law enforcement.

So - and I'm happy to raise some of those questions. Or, and put there if it's helpful.

Stephane Van Gelder: If you can, just send the text to me. And that is very helpful if you're making suggestions, thanks.

Jeff Neuman: Okay I have (Thomas), Zahid, (Jamie), (Jonathan) and Alan. Did I forget anyone? Okay (Thomas).

(Thomas): Thanks Jeff. Personally echoing what Joi just said. You know, I spoke to a ccTLD operator the other day, or a couple weeks back. And they said, well aren't you interested in what's going on with the GNSO? And they said no. I don't, you know, I don't follow that. You know, I'm not interested for the last couple years.

And my question was, and maybe this is a question that you can ask there. Do you think that of a new gTLD operator has to accept all the RAA requirements? Or if the registrar in the country, the law enforcement lets you get away with what you're doing at the moment.

So, you know, if the same law enforcement authorities are facing local registrars or an open registry, they will try to get the same standards and the same level of disclosure of information.

So I think we should seek or offer to the (CCNSO) to be their ally. And maybe come up with a joint strategy to talk to individual guest members that (CCNSO) members might be much closer too because a lot of the registries are talking to the government in order to discuss privacy issues and side effects.

And an aspect that I also like to raise is that if we get harsher requirements for authentication during registration, this would increase prices. Now you might say so what.

But each dollar that registration costs more made the CC domains or G domains, it will increase the digital device because people in developing countries will not be able to buy their piece of digital property.

Jeff Neuman: Okay thanks (Thomas). I would caution us on bringing up pricing or anything like that in that kind of environment. But I think you could just generally say having these requirements would certainly increase costs.

But stay away from discussing pricing with another organization. Just get it (unintelligible) trust concerns that we need to kind of stay away from. But I understand your point.

(Thomas): No I'm just more concerned about the digital device. And that we would perpetuate that by increasing prices. Because so far domain registrations were very affordable, (good to us).

Jeff Neuman: Okay thanks (Thomas). I have Zahid.

Zahid Jamil: Thank you. Yes, I think we need to be careful about pricing. I don't think it's something we shouldn't necessarily mention the digital device issue.

My thinking is, and I'd like to know what the (CCNSO) thinks about this is they already think that they are cheaper than the GNS - than the generics at times, not always. Some of them are giving air out for free.

(Thomas): Not cheap in the GNSO.

Zahid Jamil: I'm sorry, yes. You told me to do that. That was a back flip. But, you know, and some of them are giving it out for free for instance, (to cut out). So, you know, I mean it's a tricky conversation.

But coming back to it, I think also I've heard many people talk about the policy that they would implement within the CNSO or how to develop it.

My understanding is that they just, they've never had one. And they don't do policy because it's not binding. Just as a second and third, see in our conversa - you might want to change the language we use if we were ever to use that. Maybe other ways that we do it.

I would like to know, Marika read out something about the law enforcement bit, what it was. And I just wanted to add to that saying that I think it's good

idea to speak to them about the engagement and the sort of interaction between privacy concerns and law enforcement in their own countries because the national laws are much stricter.

And at times law enforcement are able to get these guys much faster. You got to do this and give me the information. So I'd like to know how they deal with the privacy versus law enforcement issue and see how that. But I would still like to hear what Marika sort of read out earlier.

Jeff Neuman: Yes I mean I can going to read it. It's a discussion on how we can engage around areas of mutual interests, such as emerging issues in the development of policies for law enforcement requests.

Zahid Jamil: So you want to be (unintelligible) there. But I would also say privacy and the concerns which are part of privacy and law enforcement request is fine. And I'd like to see what they say about that. But yes.

Jeff Neuman: Yes I mean I think that is one of their intentions, yes.

Jeff Neuman: Okay I have Ching next.

Ching Chiao: Thank you Jeff. This is Ching. I think quickly add to Zahid's points, I think we should mention international law enforcement. People tend to think, at least from our group and maybe it's the law basically for the US essentially law enforcement.

I think when we talk to the CC we, I mean we should emphasize, I mean even the international cross boarder...

Man: (Unintelligible).

Ching Chiao: Okay thank you very much. And my point is I'm actually hearing some opposite opinions from (Web) comments that says that appearing on some

ccTLD operators, this does show that - they're showing interest in joining at least a discussion.

Or even from the registry stakeholder group a point of view. We have the observer in the category. I think from our standpoint is that we should put perhaps showing a kind of an open arm approach. And just to welcome them.

You know, we have this mechanism and we welcome them to be part of the, you know, the scoop.

Jeff Neuman: Thanks Ching. I think that's important to add. And we talked about that the last time as well. And I think to emphasize that as well - now is good. I have (Jonathan), Alan, (Louis) and Joi. Do you want to be back in?

Joi White: I was just indicating I'm seeing some (unintelligible).

Jeff Neuman: Thanks.

Stephane Van Gelder: Send it to me Joi and I'll...

Jeff Neuman: Okay (Jonathan).

(Jonathan): I just wanted to add some information that may or may not be news to you guys. But because I think it frames one of our earlier points quite well is that nominate - you (get) operator for .UKTLD, as I'm sure you (never) applied for a number of gTLDs.

But in addition, the day before yesterday I believe they said their attention to apply to ICANN to become a registrar. And I sent a courtesy (unintelligible). So that follows on from the VLI and it follows.

And their attention, as I understand it talking to someone is simply to register in one of those TLDs. But nevertheless it's a significant work in terms of, you

know, the cross-pollination of the communities, the operation, the issues that we already knew.

Stephan Van Gelder: That's an interesting point which I can add some context too and you'll correct me if I'm wrong (Jonathan). But I believe the reason they're doing it is that for some of the TLDs that they want to operate, because their community has very few ICANN accredited registrars.

But they have like I think 2,000 members. That's what they call their registrars. The question has come up of how they can apply those TLDs to their members, which are members of (nomina). But not able (buy) ICANN accredited gTLDs by themselves. So I think that's why they're doing it.

John Neuman: Thanks (Jonathan), Alan.

Alan Greenberg: Thank you, a couple of points. (Jonathan)'s comment notwithstanding, my understanding we were talking earlier about ccTLDs becoming gTLDs. Is the vast majority of the involvement is as an operator of it, not as the owner of the TLD as it were.

So in which case they're not the ones making policy. They're just doing the back room operations. So I don't think in most cases, and knowing that's an exemption, they're really planning to operate TLDs themselves.

So keep that in mind because it changes the dynamic of what they're interested in and what they're not.

In terms of privacy issues and ccTLDs, my impression from many ccTLDs is they think they're way ahead of us. They already have well-established relationships with their own governments.

And their own law enforcement are the only ones they have to interface with if some other country has a problem to go through the local law enforcement to contact them.

So in many cases they feel they've already got the problem solved. They have policies which meet their own national laws and have well-established relationships with the only law enforcement they need to talk too.

So, you know, if (they talk to you) about how can we help each other, they may not feel they need any help. Thank you.

Jeff Neuman: Okay we'll go to Zahid then Mason.

Zahid Jamil: Just a regular point in the sort of cyber crime space, this sort of called - I know you're talking about local. But transporter access, this is the terminology use. And it's really important to see how cross - what Ching raised was how important law enforcement (unintelligible) requests directly without going through local law enforcement. That' a major issue.

And I understand from some ccTLDs that do directly provide to foreign LEAs. And so (unintelligible).

Jeff Neuman: Okay Mason.

Mason Cole: Thanks Jeff. I'm just finding out more. I mean we've been involved with this RAA negotiation for some time now. I mean I agree with Ching that this is international in nature and not, you know, merely jurisdiction by jurisdiction.

As you just I think correctly pointed out. I'm interested in finding out from the (CCNSO) how they do deal with those. Do they deal with law enforcement requests? How they deal with the influx of law enforcement influence on their operations.

I think that law enforcement and the GAC came to registrars because they saw the contract as a way to universally apply changes in the GNSO space. I happen to think that was, you know, misdirected. But, you know, that ship's already sailed.

So I'd like some time just to learn some more from the (CCNSO) because I think this is going to be ongoing, particularly with the GAC and law enforcement.

Stephan Van Gelder: Okay thanks everyone. (Thomas) I'll, just give me five seconds. I just want to say I have two lists, one for the board, one for the (CCNSO). They're both quite comprehensive. So we've, you know, done some good work. Thanks to you all for helping in that.

I will send the (CCNSO), being tomorrow, we have a little bit of time. So I'll just send the topics to the list as formatted as I have them now, thanks to all those who contributed to those topics.

On the board topics, I can read them out now if you wish just to make sure that we're all on the same page. And then close the discussion.

Jeff Neuman: Just to point out, we haven't addressed the topics that they wanted us to address. These are the ones we asked them that the board has four topics that they are asking each of the communities.

So they're asking, they want to know from us, they want to discuss with us RAA negotiations. This is from them. That's Number 1. Number 2 is the who is report, in particular what aspects to they think should be subject to policy work within the GNSO versus what they should be able to - what they should be left to implement on their own.

Batching, what are your views at having a single batch, whether you believe there's anything approaching consent of what is? The acceptable timeframe

of which to do a single batch, and if there is to be batching do you believe as consensus that a method other than digital archery should be used?

And the fourth one is just budget and ops plan cycle, but no other information. So these are four from them to us.

Stephane Van Gelder: So I think we have, with those topics and the ones that we've done, we've got a very full agenda. There are some topics on the ones that the list that Jeff just mentioned coming from the board. There are probably topics that we won't get into at all, budget and ops plans.

I believe there's no question there. You know, they don't even have a question. So it's difficult to get into that. The batching question is probably one that we're all keen to address. But I doubt that we have a single commonality view on it.

So perhaps that's just up to each individual just to speak up and get their own group's view on it. It's not quite the same arena as with the GAC as we mentioned yesterday. And I think we can trust everyone to give their own opinions.

And I think we should do that. You know, it's up to each of us to represent our groups there. On the (unintelligible) report, in particular what (aspect) they think should be subject to policy work within the GNSO versus left to start to implement.

We probably have some strong views there too. And we haven't had a chance to discuss that. So I'm weary of that. But if they ask the question, we can't just not say anything. And the RAA negotiations is an easy one, which I can just speak to that.

So what I will do, I see some hands being raised. But we're out of time. What propose to do is to send - I've (collated) all the topics. I've got two lists. I'll send them both to the list.

The board one obviously is pretty urgent because it's happening in right tomorrow's time. But we can try and continue work on the list. I think on our topics we're pretty set.

So, you know, then it's just a question of using common sense as we go into the meeting to try and make sure we have the best result possible. And just for your own organization, what's going to happen now.

We're going to have a break until 11. From 11 until 12 we're talking with Kurt Pritz on new gTLDs. And then we're having lunch. And you've been given a badge, councilors, so you can have lunch from 12 until 1.

And I would ask you to be back here say by 12:55 or even 12:50. We need to start at 1 on the dot. And in the room here we will have only - sorry, at the table here we'll only have councilors and board members.

And we will have the full meeting. The meeting with board, sorry, from 1 until 2:30. And then we'll have a break. So that's the schedule for up until mid afternoon. We'll have a break now. I'll send those topics to the list as mentioned.

And we'll pick it up at 11 with new gTLDs and Kurt Pritz. Thank you very much. Operator please end the recording.

END