
HYDERABAD – ICANN Bylaw changes and the role of the GAC (session 2 part 2)

Friday, November 04, 2016 – 17:00 to 18:30 IST

ICANN57 | Hyderabad, India

CHAIR SCHNEIDER: The next question that I will propose you to consider is, how will the GAC determine whether and how to participate in community discussion of a petition, i.e., for instance, at a community forum level. So this is again, the purpose of the forum is to get together and have a dialogue on an issue that is coming from somewhere that has traction that people want to discuss it in the framework of the community forum. So how will the GAC determine whether and how to participate in community discussions of a decision? Your -- so basically, how do we decide that we participate in a community forum or we support something being discussed in a community forum. That's the question, trying to simplify it a little bit. We have a few minutes, so please. Iran and -- yeah, Iran for the time, and U.K.

IRAN: Thank you, Chairman. Forum is exchange of information. I don't think that we should have a very restrictive arrangement. I think we should take a majority, and if the majority agree that we participate in the forum, we participate in the forum because forum is not decision-making. Forum is to convey our views and

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

help other to understand what the situation is. Or it is good for us to go there, understand what they are talking about. So I don't think that we should have any consensus tie or supermajority tie. We should have a simple majority. Thank you.

CHAIR SCHNEIDER: Thank you. U.K.

UNITED KINGDOM: Thank you, Chair. My immediate thought on this is that the community forum is an important step because I think it's more than information exchange. It is the opportunity actually, through discussion, cross-community, to actually find a solution. So it's quite important that we do prepare effectively to contribute to that kind of exercise which can actually obviate a petition going any further.

So I think we have to think about a process that's deciding how to participate and maybe formulate some points to make on a consensus basis with perhaps the help of the leadership actually fronting for the GAC or an appointed topic lead from the GAC to do that. And in a very transparent way -- transparent way report back to the GAC and to leadership and so on. That's off the top of my head a bit all of that, but hope that's helpful. Thank you.

CHAIR SCHNEIDER: Thank you, U.K. Colombia?

COLOMBIA: Hey. I was thinking off the top of my head that the GAC has already made some decisions on things that can be used to day as parameters to define how we stand on certain things, and I think that can help us in the decision-making process and that can also help us on figuring out how we can participate in certain forums because I think that that participation is an opportunity to show the GAC the work that we have already been doing.

CHAIR SCHNEIDER: Thank you. And actually, for instance, a decision of the GAC to participate in a cross-community working group is something that we may use as an example. There are some cross-community working groups that we decided to become a chartering organization whereas in others, we have decided not to, for reasons that we didn't think it was useful or relevant or in line with our role. So that may be an element that we could use as an existing experience. Switzerland and then United States.

SWITZERLAND:

Thank you. As to the community forum, I think it's important to take into account that if we are at that step already, this means that there is a petition and this petition has been supported by at least a number of SOs and ACs. Perhaps we have been one of the supporters of that petition. So I think we -- we would need to look at the track record of that petition specifically, and if it's one where we have already supported it or it came from the GAC even, then it will be quite clear that previously we already decided that there are public policy implications.

And as the U.K. pointed out before, the community forum really was an invention where some of -- in the GAC had a role in pushing this as a mediation mechanism, as a deliberative dialogue between all the parties and the community.

So I think we should be liberal in supporting going to the community forum once it is clear that there are public-policy implications.

Thank you.

CHAIR SCHNEIDER:

Thank you, Switzerland.

United States.

UNITED STATES: Thank you. I think it would be helpful to perhaps better understand what the GAC participation as a body in this community forum stage means. If it's a matter of informing ourselves, do we necessarily have to be formally involved at that stage or can we be more of a liaison role or participating more on a country role as opposed to as the GAC?

And if we are participating as the GAC, I think, again, it's important, particularly if you keep coming back to the issue that these circumstances are going to be exceptional and it's important to make sure that we are speaking as one voice if we decide to be participating as a body. And in that case, I think, again, we need to strive for consensus to the greatest extent possible.

CHAIR SCHNEIDER: Thank you, U.S. I think you again raise a number of very fundamental questions, which I guess the others, SO and ACs, have the same question. ALAC, for instance, defined their methods already.

Who and how are we supposed to participate, for instance, in a community forum? Is there one person who can only speak on behalf of the whole GAC based on agreed position or do we have individual members to participate in this as individual members

of the GAC? If I get you right, there are a number of questions that would need to be clarified.

And also there, let's maybe do some research with those who have already developed their mechanisms. For instance, ALAC or others, in discussing these mechanisms, how they do it, because they have the same issues. Like if you take ALAC, can anybody speak on behalf of the ALAC or do they decide that they participate as individuals coming from the ALAC? And what is the logic that the others apply and see whether there's a coherent logic in -- in all of this, which would be nice, I think.

So I take your points.

I think Switzerland, very briefly, and then we have to wrap up because the PSWG is already waiting, and we shouldn't let them wait for too long.

Switzerland, very briefly.

SWITZERLAND:

Just a short point. I think it's two questions. One question is whether we support, abstain, are against going to community forum, whether we go to that community forum. And another question which gives rise to another discussion is how we participate there.

And to recall the discussion we had in the CCWG, the idea, if I recall it correctly, was that SOs and ACs of course can participate with their consensus views there, but it was supposed also to be open to everyone interested in participating in the dialogue, even people that are not part of the SOs and ACs.

Thank you.

CHAIR SCHNEIDER:

Thank you for this clarification. That at least answers some of the questions that we have been just discussing, but not all. And it's good to keep these two things apart. One is a mechanism to say we support, we object, or we abstain from something being moved to the -- to the community forum. The other thing is how do we participate. These are two elements that we should take part.

So thank you. I think this was very useful. It's definitely not the end of our discussion but, rather, the beginning. But I think it helps us all have a little bit of a clearer picture on at least some elements of what we are supposed to develop. And we'll try and work this into documents, call them whatever they want. Zero drafts or whatever. We are still in a deliberation and development phase. And we have to find a moment to take care of what Canada reminded us, to have that discussion as well

during this meeting. At least start the discussion during this meeting.

So with this I'd like to end. I hope -- we are five minutes, I think is excusable.

So that's it for the plenary GAC meeting. Now we give the space to the Public Safety Working Group for their meeting. So please come up. We'll disappear from this table very soon.

Thank you very much.

Thank you all for this very constructive and civilized debate on something that is, of course, very sensitive. So we are aware of this, and this is really great work.

Thank you very much.

ALICE MUNYUA:

Thank you very much, Chair. Just to remind everyone this is a GAC working group, so you are welcome to stay and contribute.

Thank you.

CHAIR SCHNEIDER:

Just for your information that this is very clear, this is not -- this is a GAC working group. This is an open meeting. So everybody is invited to participate, just to avoid any misunderstanding.

Thank you very much.

[END OF TRANSCRIPTION]