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HYDERABAD – GAC Working Group Recommendations - for discussion and decision

Tuesday, November 08, 2016 – 09:30 to 10:30 IST

ICANN57 | Hyderabad, India

OLGA CAVALLI: Thanks to you, Alice.

We have other working groups you are involved in.

Would you like to report about the underserved -- well, I don't know if you have decided on your name for that. Later? Okay. Fine.

Then we have four other working groups: Human rights, geo names, NomCom, and underserved.

Would the colleagues from the Human Rights Working Group report now or are they in the room? You want to do it -- you want to do it from there, Mark, or from here?

MARK CARVELL: No, I'm not ready. I hadn't anticipated we would report in this session, so I'm not ready.

OLGA CAVALLI: No. It's a session for –

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MARK CARVELL: Later. Thank you.

OLGA CAVALLI: -- for working groups to report to the plenary, and especially if we had comments and inputs from the working group sessions that we had the first day of the meeting.

So if you don't mind, I will go briefly to report you about what happened in the meeting of the geo names working group.

So Julia and Gulden, could you be so kind to show the PowerPoint? It's a very short PowerPoint with some comments.

I have reviewed all the draft -- all the transcript and notes I have took from the meeting, and I would like to announce that our colleague Alice had been -- has been kindly -- she told me that she would co-chair the working group with me, which is fantastic. So thank you for that.

So, Alice, feel free to jump in the conversation.

So if we can go to the next one, please.

What we did in the -- in the half an hour that we had to present - - or, no, full hour, we presented a new text for best practices to be considered by applicants, by ICANN, and by those involved in

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the new gTLD process, especially in relation with the use of geographic names and community names.

So the discussion was focused in reviewing this new text, and the idea is to present to the GAC refined text for the consideration to the full GAC before the Denmark meeting.

Can we go to the next one, please. Why we have these draft principles, why we think they're important. And this new text presented by our colleagues from Switzerland take concepts that we have been working with for a while, like a repository of names and beneath need for consultations in between the applicant and the involved parties in the -- in the string.

So the first Applicant Guidebook that was finished by 2012 established some categories of names that were reserved, which had some country names and geographic names. But that was not enough. There were some names that were not in those lists that were request as new gTLDs, and then there were some conflicts that -- that ICANN, the applicants and the countries, had to face.

So the idea of these draft principles would be inspiration in drafting the rules for possible new categories of terms with geographic significance, framework for governing terms not fitting in any new specific category to be established but still having such geographic significance. And applicants, interested

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parties would benefit having these rules and this predictable framework of rules.

Can we go to the next one, please.

So it has some parts -- Is this the right one? Sorry.

So the principles would apply on a default basis, and there should be a due diligence obligation by the applicants. The applicants should search and be obliged to undertake the due diligence, looking the string having geographic significance into the repository.

Can we go to the next one, which is, I think the most important one.

The repository of terms with geographic significance. We have discussed this concept many times. It has come up again. I think it has some -- it has value, at least trying to think about it. The idea would be to have a repository of terms with geographic significance to be maintained by ICANN. And governments, public authorities would add, would give the input to this repository and -- and input the information to this repository.

It would be an effective opportunity to raise concerned about any strings that are in the repository. There would be an obligation to contact the -- the government or the public authority related to the string that it's confusing or that it's

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contentious. And every applicant or applicants should be required to obtain a non-objection statement.

My English is horrible this morning. I apologize. I am totally jet lagged. My apologies. I should do this in Spanish.

Dispute resolutions will be in case that a non-objection is not obtained. And there should be some documents -- obligation of having documents to prove that you went to the repository and you had a non-objection or you had some negotiation in between.

Go to the next one, please.

Some comments. This is what is keeping me sleepy this morning because I reviewed all the transcript yesterday night, and I think this has value for you because the other things we already did.

What comments we received from colleagues. We should avoid overlapping processes. So it seems, for some colleagues, that the repository plus public consultation makes some overlapping of activities.

There should be interaction with other parts of ICANN community. That was a comment, right, by our colleague from Iran. I agree. I have been checking the structure of the -- of the group in the GNSO. They have different tracks of -- with different

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focuses. I think parts of us in the working group should be more active in one of these four tracks I think they have. So this is where we will focus our -- our work in order to be more aligned with what they're doing.

Yes, please. You want to comment.

IRAN:

Yes. I'm sorry that I want to comment. First of all, once again, thank you very, very much for your devotions for doing this work very, very actively. Much appreciated.

Yes, there are ten tracks for -- ten PDP. Four of them are most important. Urgent. I don't say most important. Others are important as well.

But when you say we should have -- we should put it into the practice how we should be active. I suggest that the GAC at least give this type of activities to watch up or follow up the four PDP, it should be given to some of our distinguished vice chair to follow up. Not putting burden to them, but these people, they encourage other GAC member to participate in one way, other. Because unfortunately, due to various reasons, we are not doing as we must do.

I did this the most diplomatic way I could mention. We are not doing as we expect to do.

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So what I am saying (indiscernible), I don't want to disturb our distinguished vice chair, but at least they would be sort of the triggering reminders, follow up, putting papers together, putting elements together and encourage the people to -- We know that our main problem -- not problem -- point of difficulty is these PDPs. If we not try to participate and actively in their preparation, in their development, we have the problem that we discussed yesterday in front of the Board.

So we have to start from somewhere. So I think you may kindly put it into the implementation that PDPs should be given to one or two vice chair to guide, to follow up, but no doubt with participation of GAC members.

And we need to have some sort of, I would say, not written commitment but some sort of commitment that, yes, we will follow. While we are here, we are all talking. When we go, we forget and come back again. I'm not saying all of us. Some of us. Let's say myself. I'm working -- I'm not working. So let's just do that one.

That's all. Thank you.

OLGA CAVALLI:

I agree with you, Kavouss, and what is important to understand is that the process of the PDP will produce an outcome. And if

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we are not involved in the process of developing them, then we have outcomes that we don't like. But then it's too late because then it becomes a rule approved by the Board, and then we know the story. We have gone through that process several times.

The challenge is that -- that we find colleagues that would be actively engaged in these different stage -- different parts of the PDPs. I will try to focus more on some of these -- of this PDP that the GNSO is producing. And perhaps we are lucky that we have more colleagues, vice chairs. I don't know. Perhaps the new vice chairs want to take that work.

Other comments from colleagues, encourage the early contact between applicant and authorities. I totally agree with that. I think that's a must.

Reach agreement on operating systems at a higher level and then input to the Board and ICANN community, including GNSO subsequent procedures PDP development process. Definition of the scope of the repository.

What does "significant" mean? That was raised two or three times in the presentation.



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Also, the repository needs criteria and careful management, updates. It should be predictable. It should not be used to block the use of all the strings in the world.

Not all the countries are active in the GAC, so the repository would have to reach out -- the confirmation of different repositories should be, we not, and having in mind that many countries are not in the GAC.

In the long run, it is important to interact with other international organizations and other sources of information with these -- these geographic terms.

Each country sends a list of names/strings. This was suggested as well.

We should pay attention to the process. There seems to be overlapping among different activities. The repository is good to be used as a first warning. The repository should not become an impediment to use as a string for a TLD. And we should establish a legal base for such a repository. And a summary of documents and comments should be prepared and shared before Denmark meeting. This will be done by us in the working group. I promise, I will do that.

These are the comments that we received during the session. If we can go to the next one.

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So we'll prepare new version of the best practices based on these comments. We will circulate them hopefully to the GAC after having some agreement in the working group.

We will prepare a summary of documents, especially for those colleagues who are new in the GAC. And we will continue working on another document which is about public interest; that it's, for the moment, not in the scope.

Any other comments from colleagues about what I have presented?

I have United States.

UNITED STATES:

Thank you. I just wanted to follow-up on the comments that were made by Iran. I think they were very useful and effective, and I think it would justify some dedicated conversation either in this working group or in the GAC overall with respect to how to better participate in these community PDP Working Group processes, particularly when it comes to the proposal of the repository.

I think it would be quite helpful to hear from other community's perspectives early on so we could influence our views as well as hours at the outset. So I would think it would be, again, very helpful if we could have a more detailed conversation

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specifically as to how we can best either participate directly in those groups or even bring our work to those groups and not be working separately as a working group.

Thank you.

OLGA CAVALLI:

Thank you, United States.

Maybe some colleagues recall that the working group prepare a document and open it for comments to the -- from the full community. And it was an interesting exercise. Took a lot of work from us, but it was nice.

Yes, Iran, go ahead.

IRAN:

Thank you, Olga.

Okay. I would like to have a little bit of more clarification on this repository preparation. Who prepared that?

Then how we put to the consultation among GAC? How we put the consultation to other group; in particular, GNSO? And who will maintain that for updating, and so on, so forth. We should have a clear course of action to follow the situations. And we should start as soon as possible.

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And I'm sure that there will get to some sort of constructive results if we do that. Start the draft, sharing among ourselves first, whether inside GAC is more or less agreed. Not agreed as a GAC consensus. Agreed, "yes, I don't have anything to add" or "I have comments."

And then share it with other group; in particular, GNSO. I think they are happy, and they willingly want to do that. I have seen that the -- there is no prevention or no obstacle from them.

And then once it is established, we have to have who maintain that, the maintenance of that, for updating, for corrections, and so on, so forth. And any follow-up actions.

Once again, the most -- I will tell perhaps today in the public comment, the most important element after the transition is mutual collaboration among various constituencies of the ICANN. We should continue our friendship, our collaborations, and avoid any competitions or any exclusion.

When we talk inclusive, we should really be inclusive.

Thank you.

OLGA CAVALLI:

Thank you, Kavouss. I totally agree with you. We will do our best in the working group, and I encourage those colleagues

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that are part of the working group to actively engage with me and try to follow this comment, which I agree totally. And I agree with you that cooperation among the community is fundamental.

I thought that the meeting with the working group from the GNSO was extremely helpful, and we had a very good dialogue. So that's a good start.

Any other comments?

United Kingdom.

UNITED KINGDOM:

Yes, thank you, Olga. And thank you as well, from me, for all the work you're doing on this, exploring options and reviewing a lot of the aspects of geographical names and their significance, and so on. It's very valuable work.

I just want to check on the preparation of the summary of documents that this includes; what I mentioned at the meeting about the value of capturing what happened with the 2014 consultation. The August -- August 2014 consultation. There were lots of responses to that, raising questions such as the legal basis for rights by governments to protect geographical names, and so on. I remember that was featured in a number of the responses.

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So for the benefit of ongoing work and, also as you identify there, for new GAC members, it will be important, I think, to provide a document that summarizes what happened with that consultation and how the working group responded to the response- -- to the respondents to the consultation, and how that informed, then, the subsequent work.

Thanks.

OLGA CAVALLI: Thank you, Mark. Are you a member of the working group?

UNITED KINGDOM: I'm not, but I'm -- I don't think I am formally, am I?

OLGA CAVALLI: I don't remember exactly, but it could be good when we do this exercise that you help us in focusing. Perhaps you can help us producing the right outcome that you -- and I think that it's -- it would be very good to produce this document and share it with all colleagues.

So maybe when -- when the time comes, I can contact you and share some ideas; okay?

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UNITED KINGDOM: By all means. I'm very willing to help out as much as I can.

Thank you.

OLGA CAVALLI: I have United -- United States.

UNITED STATES: Thank you. And following up on that point, I'd be happy to assist Mark in any way in making sure this happens. I think it's very important to provide this summary and be able to make it clear that we have heard the views of the rest of the community with respect to -- on that initiative.

But I also wanted to take the opportunity, just I realize we're providing a summary here, but with respect to the repository. We didn't have the opportunity during the working group to raise some issues but would like to do so now.

Firstly, when it comes to the repository, we still have some questions with respect to how to populate such a repository, particularly with names that are shared by mutual countries.

So moving forward, I look forward to participating in this working group. And again, I think we indeed to take the time to actually consider how to effectively participate in the PDP

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working groups, not just taking note and recognizing the importance but actually taking some concrete steps.

Thank you.

OLGA CAVALLI:

Thank you very much, United States.

As I said during the working group meeting, this idea of the repository is -- has come several times. It's still an idea. It's ongoing work. And the working group will be sharing with the -- hopefully with the full.

GAC some more different documents.

And I encourage those colleagues who think that this idea could be refined or better, please join us in the working group. Everyone likes this issue, and it's a lot of work. There are many, many documents that we have produced. And your input and your help and your contributions is always very valuable. Any other comments? Indonesia.

INDONESIA:

Thank you, Olga. In the GAC we have several working groups, of course.

And it is not number one of the working group, unfortunately, because of several other reasons.



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But what I think will be useful for -- not for Indonesia, but perhaps for other countries. If on a several months' basis, perhaps the -- our GAC secretariat can give an overview of the whole working groups activities and outputs. And this may be useful for the ministry where we work with at home. And in some cases, when we have the so-called ICANN visit a particular country, then these kind of things can be one of the topics to be discussed. As an example, next week, in the next two weeks, ICANN will be visiting Indonesia for -- in the IGF meeting. But I would like also to use this opportunity for the ICANN staff there to meet with the ministry and give an overview of all the working groups. And perhaps where our country is needed to be more active, for example, perhaps the working group for geo names, Indonesia has not built a repository. In the working groups for public interest, for example, Indonesia has not -- need to do this, this, this, you know, this kind of exchange of information.

So the country can see what is the benefit of a working group and what kind of things they have to do more. Because the working groups proposed to do repository names, for example. Thank you.

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OLGA CAVALLI: Thanks to you. Perhaps with the new Web site, we can have an easier way to have a place where all the documents of the working groups are available for colleagues.

Iran, please, go ahead.

IRAN: Thank you. I would like to take the point raised by our distinguished Indonesian colleagues in a broader form. In the meeting or whatever called with respect to the outreach, we discussed that. There were various areas and various elements of which one proposed by China, for instance, was outreach universities. It was not part of this.

But what our colleague in Indonesia mentioned that there should be a structured arrangement to outreach governments. Many GAC members gave government to be outreached to be put better in the picture of the activities of ICANN in general and in particular of the GAC.

And I think we should not push -- put everything on the shoulder of secretariat to become the preparation of all things. Their time is limited. On the other hand, yesterday we heard what is the problem. So we should have our hats properly corrected. Asking too much, then we have to give something. So there is no problem that we raise the issue of outreach of government in a

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more broader form, that there should be some actions. The activities of the GAC and ICANN should be better and promoted with the government. There are many still do not pay sufficient attention to the importance of that.

On the other hand, they're talking of digital things. They're talking of Internet expansion. They are talking of this, but one of the elements and skeleton of this ICANN and GAC and so on and so forth.

So this outreach of government -- I'm not talking of the developed countries. I'm talking about developing -- should be one of the objectives that we have to do. And in that term, yes, Indonesia is one. Our government would be the same also. Outreach explained what is the importance. Why they have to participate? What is the risk of not participating? What risk of just expecting? So we should do work. We should not expect others to work for us. We should go hand in hand and working together. But that, setting aside saying others do the job for us and bring something and that doesn't work. That does not work. People are so busy. Resources are so limited that that would not be practically applicable. Thank you.

OLGA CAVALLI:

Thanks to you. This is a very important issue which is not the scope of this working group. And I do some outreach totally

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informally in Latin America and try to inform colleagues and try to send them documents. And I agree with you, it should be more formal. Let's have that in mind for other areas of the GAC and for ICANN. Other comments? Other questions? Thailand.

THAILAND:

Yes. Wanawit from Thailand. I also like to make preference in two aspects. One is that I try to understand that the outcome from this working group would not reflect into the subsequent round working group as well because it seems to be the same whether the plan for the working group would -- what we need to provide input to the working group that we left to gTLD subsequent round has this topic in it. And the contribution here, how could we be sure that the timeline is met is what we can put in the subsequent round on new gTLD, especially on the geographical names.

That is the first aspect that we need to participate both that we have the issue of concerns should we also engage in the subsequent round directly or we have to work through the work groups or I tried to understand that point.

Secondly, I like to call upon interests of -- I think I really point out this issue. But I like to talk again about the IDN aspects. Because we have 166 IDN which IDN mean at least six United Nations language of the country name should be less specs.

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I could present that our country names was on sale in several IDN, even though it's in the list of UNGTN. But, because that is in the guidelines of UN guidelines, that is not specifying. That is directly because during the time you seek the IDN from the ccTLD, the reference source repository is UNGTN. And every country already have that name in six U.S. language. So it should be protected. But the name of Thailand has been on sale at the price of 760 U.S. dollars in several IDNs like .HEALTH or in IDN names or in 166. And I urge the GAC members going back, check your UNGTN country list. Every country have it. Six units in the native language. Taking that character and search. I be sure that a lot of your countries is on sale. And they're the 166. And that is the loophole. That is not discussed elsewhere. And I do believe that, with these working groups -- and I also will try to file this into the new gTLD rounds subsequent that the IDN principle have to be wise. And the country name in the UNGTN list have to be protected, because the list is there. It's available, but it is not enforced. So that is more critical because we'll come to the context of IDN this being domestic. For example, if this .HEALTH in the name of Thailand, they might think this is health product coming from Thailand. The repository is there, but the IDN did not use it.

That current situation I have six domains in my hand that refer to Thailand in the IDN language. So this has happened. This is a

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problem we need to fix in the subsequent round. So that issue was missing in talking about geo names was not limited to ASCII which limited to 3166 and addition of 3166 only. Thank you.

OLGA CAVALLI:

Thank you, Thailand. I fully agree that the repository should be multi string, multi script, multi everything. One second, Gema. About your first comment, which is where do the outcomes of the working group go or if they go anywhere, this is a very important comment. It depends on the working group, and it depends on us, and it depends on the GAC. The working group intends to give input to the GAC and prepares to advise. Also, some members of the working group, without having consensus within the working group but as individual countries, we have made comments in several stages of these different documents that are available for public comments. What I think we have achieved is some sense of having this issue in mind to the whole ICANN community. Because at least we raise the issue, and I think this has some value. Gema, go ahead.

GEMA CAMPILLOS:

Thank you. It was just a question on your last comment about the name of Thailand being on sale and the new gTLDs.

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If I have understood you correctly, that is the case, have you complained to the contractual compliance team of ICANN? I think you have that possibility at your disposal. Thank you.

THAILAND:

Yes. But we do work through the repositories. As I already mentioned, the IDN 166 is very important. But we have no working group working on that at all. The IDN principle is outdated. It's drafted in 2008. There's a minor change. But I think that other issue that we all need to work, we forget that the IDN has become quite related to the national language issue aspects. And that used to be the GAC communique on gTLD principles mentioned directly as notes that IDN need to come up with the gaps that led to this. Because it's very big scopes. And that whole communique IDN principle working groups is lack of issues on country names when come to the local language. They're not even referred to UNGTN link for the contractual compliance. If there are no principles or guidelines, we have no rooms. What should be the way that we should comment on this issue? But we need to work things out, I think. That we need to really be trying to find a way to reflect that into the new gTLD rounds.

That -- things that -- that our position we tried to infringe for the new rounds better than this current delegation.

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OLGA CAVALLI: Thank you, Wanawit. I suggest that you try to join us or some of your team try to join us on the working group. And we can introduce these ideas into the concept of the repository. Switzerland. We're running out of time. Sorry. Sorry. I didn't see you. Manal and then Switzerland.

MANAL ISMAIL: Thank you, Olga. Just very quickly to seek clarification from Wanawit. You mentioned that the IDN principles are outdated. So which principles exactly are we referring here to? Are those the GAC principles or something else? Thank you.

THAILAND: The GAC principle is originated 2008. And that is the revise of IDN principles. That does not address the issue of geographical names in IDN language as a contractual compliance. And so the current IDN could be available freely to use the country names in the U.N. language, even though it already exists in the UNGTN table list. It's already -- the repository is already there. And they can check it's not a big issue. But there are no contractual compliance that we enforced the registry. Thank you.

OLGA CAVALLI: Thank you, Manal. Thank you, Wanawit. Switzerland.



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SWITZERLAND: Thank you, Olga. And sorry for coming late. But I guess that this session started earlier than planned.

I just want to stress the point that -- with the best practices document that refers to those geographic names that are not already covered by existing protections in the Applicant Guidebook, it would be of utmost importance that we really team up with the processes within the community and especially with subsequent procedures PDP working group. And for that I'm of the opinion that we should stick to high-level principles, be flexible, and work out the GAC input to the community work and not so much to the board advice, which could be less flexible.

OLGA CAVALLI: Thanks to you, Jorge. Apologies. We started before because our other meeting ended earlier. Your comment was raised by our colleague from Iran that we should have a more structured and organized participation in all these PDP processes. And he had a suggestion of perhaps encouraging vice chairs to follow different processes within different PDPs. But that's something we can discuss within the -- not only in the working group, in the GAC in general.

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Any other -- we have taken a lot of time on this issue. Any other comments? We should change -- yes. Please. I don't recall your name. If you can help my memory and the floor is yours.

ENG ALAN SALAHADDEEN: Good morning. Alan from Palestine.

I noticed that most of the colleagues are very interested about the two characters of the second level domains and -- or three characters and -- of the second level domain. As everybody knows, that this -- this is related to the government, this topic. And as you -- as the France representative stated, should any of - - any applicant to apply any petition, Mr. Olof assisted me. And I thank him and asked me to review the ISO as all the abbreviations or labels were reserved for specific purposes. And I think these -- I think that these labels are blocked by defaults. And I think that government representative should address these things with the people or with the parties in charge. And what applied for the top-level domains can be applied for the second. Thank you.

OLGA CAVALLI: -- working group, especially focused on all the names that are not included in any list. So these comments are important but are out of the scope of this working group.

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But thank you for that. And I hope that other colleagues capture the comment.

Any other comments? We are totally out of time with this issue. Thank you very much.

We have still three working groups to report. Someone else want to follow, or you want me to follow with NomCom?

Operating principles is tomorrow. So that's out of the agenda today. Mark, you want to report about human rights? You want to come up here?

MARK CARVELL: Thank you, Olga.

OLGA CAVALLI: See, you become accustomed to being a vice chair. You see? He has to practice.

MARK CARVELL: Ooh, yes! I like these chairs. Okay.

Good morning, everybody. Thanks. Yes. And this is reporting on the human rights and international law working group, which I co-chair with Milagros from Peru and Jorge from Switzerland. We met last Thursday. My goodness, that seems a long time ago.

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So I had to check the notes to recall exactly what we discussed and what we agreed to do.

We had three main agenda items. This working group, as you will well know, provides the channel, really, for the GAC to intersect with the Work Stream 2 Cross-Community Working Group on development of a framework of interpretation of the human rights core values in the new bylaws. So we decided to invite the chair of that subgroup of the CCWG, Niels ten Oever, to update us on the work of the subgroup. So he was very kind and gave us a comprehensive overview. And flowing from that is the opportunity for the GAC to input into the public consultation on the draft framework of interpretation, which Niels explained, is envisaged for next February. So we need to anticipate that. And the working group is the -- obviously, is the channel for engaging in the public consultation. And we encourage members of the working group to participate in this Cross-Community Working Group subgroup work to join the cause and so on, indeed, anybody in the GAC to do so. So it's very important to keep in step and contribute to the discussions

in any of these Work Stream 2 subgroups.

So an additional issue which has led to an action is consideration of whether and, if so, the extent to which the U.N.

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guiding principles on business and human rights can apply to ICANN.

And there was some discussion about that. And we agreed that we as the working group would assist the subgroup rapporteur with that in liaising with the U.N. working group. So that's an action that we're following up on. These are the so-called Ruggie principles that you may be familiar with named after the U.N. special rapporteur. That was the first main area of focus for the working group.

We next went on to hear about the Council of Europe's report on applications for community-based new gTLDs. This is the report which came out just before this meeting in Hyderabad. It was circulated by Lee Hibbard from the Council of Europe to the GAC list. This, produced by the Council of Europe and, indeed, approached this analysis of the experience of community-based gTLD applicants from the perspective of human rights, due process, fairness. The starting point, really, being that was the GNSO's vision for the application round in respect of prioritizing applications from communities who wanted to use the opportunity of a new top-level domain for their community benefit for sharing amongst like-minded members of the community, be it a social community, a commercial sector community, whatever kind of community it may be. The GNSO felt, if you look back in the early days the genesis of the whole

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application round, that those communities should be given a helping hand through prioritization, subject to fulfilling certain set of criteria. So the starting point was that, really, of the work that the Council of Europe offered to do. It followed on from discussions that the GAC had back in Marrakech and, indeed, previously, as we were tracking the fate of a number of high-profile community-based applications in particular which had either got into difficulties with the valuation processes or subsequently decisions had been challenged by more commercially-based rivals in contention for the same name. So there were a lot of problems emerging. And the analysis that the experts commissioned by the Council of Europe to do looked at the history of all those applications. They undertook a number of interviews with key applicants, with ICANN staff, and with other people closely involved in the gTLD round and, indeed, with some GAC colleagues as well. And Switzerland and the U.K. as GAC members assisted the work and also active in the Council of Europe in Strasbourg assisted with the work of the two legal experts who undertook the analysis. So the report is out. And, as you know, I flagged it in other sessions, including with the Board and then we discussed new gTLD subsequent procedures. This report we feel does constitute an important input into the reviews of the performance and conduct of the current round and what lessons can be learned to avoid the problems in any

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subsequent round or similar process of invitation for applications.

So the next steps for that is that the Council of Europe will submit that report to the new gTLD subsequent procedures PDP working group and to the CCT review. We are, as the working group, endorsing its consideration by the GAC in particular with a view to looking at the recommendations that the report makes and seeing whether the GAC should endorse those recommendations, perhaps as formal at the next meeting in Copenhagen.

So the next step for the GAC is that we are recommending that the GAC members all look at the report and we invite comments on the report and its recommendations in particular within the next two months. I haven't got the exact date we're going to set as a guideline for you as GAC plenary to comment on the recommendations.

So that was the second item.

And, thirdly, we took advantage of Niels ten Oever's presence as the chair of the CCWG subgroup to ask him about the work of the pre-existing and still continuing cross-community working party on corporate and social responsibility to respect human rights. So he was able to provide us with an update on the work of that cross-community working party, which is, bear in mind, it's a

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separate -- as I say, pre-existing platform for stakeholders to get together to discuss human rights separate from the Work Stream 2 subgroup

formerly constituted by the CCWG.

I think that covers everything we discussed in our agenda and the actions that flowed from it on which we will be consulting working group members subsequent to this meeting and, indeed, putting a proposal to the GAC in respect to the Council of Europe report. But, if my fellow co-chairs want to add anything in case I've missed anything or want to underline with any comments, I invite Jorge or Milagros to take the mic as well. Jorge, thank you.

JORGE CANCIO:

Thank you. I strongly disagree with Mark, of course. Just wanted to add, jokes aside, that liaising with the cross-community working party is one part of our work plan. So we tried to do that in each and every meeting. Thank you.

MARK CARVELL:

Thanks, Jorge. All three of us are willing to take questions. I see Iran, Kavouss. Thank you.



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IRAN:

Thank you, Mark. Very hard working, working group, good results. I think we should look into the modalities to proceed further. You mentioned that we provide some sort of advice possibly at our next meeting in Copenhagen with respect to this output of the Council of Europe in relation to the human rights and so on and so forth.

Is it something that you expect that you have the -- is it not related to any other group exactly the -- I think we should avoid this sort of the overlapping and so on and so forth. Giving advice on something which is still in progress elsewhere may not be quite useful.

And take into account our advice has two category of advice: advice that some people agree, some people does not agree. Doesn't matter, but the advice of the (indiscernible), we should be quite careful that, first of all, we should not give advice on any point that the PDP on that point is still in progress. This is very, very important. We should not override that. That has been sort of the point said by other people; that GAC, using the advice channel, disregarding either the PDP or the preparation of the PDP, we should be quite practical.

Second, you mentioned that the GAC provide comment during the public comment on the human rights reports. If you can have that agreement, yes; otherwise, I think each GAC member is

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free to comment on that but not collectively. Because the mechanism of that, you have a comment of GAC as the whole, it seems to be a little bit difficult to achieve.

But public comment is open. Some member of GAC, based on that report, could put their comment in the public comments. But I have not seen -- maybe I'm mistaken -- up to now, during the public comment of any issue, there is a collective comment from one constituencies or SO/AC on a specific things, unless it has been fully approved on that to reflect the views of that constituency.

So we should look into -- I have no problem with the -- with the - - with the substance of the issue, but the approach, we should be quite careful how to do that.

One thing I would like to mention, once again, we should avoid overlapping, and we should avoid to have separate channel.

We should put our efforts into the main group dealing with the human rights. There is no yet -- not yet agreement to use Ruggie principle. People disagree. The chairman of the group tried only two of them, 13a and 15a. There's no agreement. So how the GAC could push that apply the Ruggie principles? We should be quite careful to listen to the views of that group. But I encourage all of the colleagues behind this to further contribute to that group and to convince those who are not still in favor of using

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Yuggie -- sorry, Ruggie principles in the human rights activities. Convince them, but not through the GAC channel. Through the direct participations.

Thank you.

MARK CARVELL:

Thank you, Iran.

I'll have -- I'll provide some initial comments on that, and then I will also turn to, I think Jorge from Switzerland wanted to react as well.

First of all, with regard to the Council of Europe report, it was a country (indiscernible) an observer on the GAC, of course, and it was submitted to the GAC. So I think there needs to be the logic of an opportunity for GAC colleagues to look at the report and react to its recommendations, which are follow-through from a lot of GAC discussions previously about -- about the experience of community-based gTLD applications.

Whether that process will provide a potential GAC position on the recommendations or some of the recommendations, we'll have to see. But I think it's important for GAC colleagues to have that opportunity, in a formal way, to consider the report of a GAC observer, commissioned by a GAC observer, and to provide comments. So that's the process that we want to put into play.

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With regard to your third point -- Sorry, I'm skipping one, I realize. But with regard to the third point about the Ruggie principles, this is an agreement really to help in terms of informing the discussions. It's well noted, of course, as you describe, that there's a lot of disagreement here about the applicability of -- of certain of the Ruggie principles. But there was this discussion and exchange and an action to flow from it in order to just facilitate that interaction between a U.N. working group, an intergovernmental environment, and this CCWG subgroup in the multistakeholder environment. So we're providing that kind of bridge, if you like, but not in a way that suggest that the GAC is going to insist on a position, whatever.

With regard, to jump back into the middle, your second point, well, maybe this is an issue that needs to be discussed more widely in terms of the GAC's position vis-a-vis the Cross-Community Working Group subgroups, and so on, on how GAC members contribute to that, whether within a chapeau of a GAC position or individually through the GAC members participating directly in the -- in the subgroup discussions, and so on. Maybe there's a need for discussion about that. Perhaps our chair would like to comment on that.

So that's my initial view. That's not very helpful, I agree. But maybe Jorge wants to comment on any of those three points. I see he raised his flag.

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Thank you.

Jorge.

SWITZERLAND:

Thank you so much, Mark.

I very much agree with what you said, and in fact I agree with the points made by Kavouss. It's important that the Council of Europe recommendations are considered by the GAC, and up to Copenhagen we have this opportunity, and that probably the most effective way to feeding it into the vaster community, if there's an endorsement of all or part of the recommendations is also to feed it in, of course, into the GNSO PDP Working Group on Subsequent Procedures, which sooner or later will look into community-based applications. That's on that point.

On the input to the CCWG subgroup on the Framework of Interpretation, we were more or less flexible in how we were expressing the idea that during the public consultation, if it takes place in February, as a working group, we would try to channel GAC input, both bringing the issue to the attention of the GAC as a whole, probably, and also trying to come up with some structure of GAC input. This can be from a compilation of different individual GAC comments, as we have done in the past in other periods of the CCWG Accountability, or if we see that we

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are able to come up with a set of common-ground positions, we may feed that in, too.

So I think we -- for the time being, we have to remain flexible, and we will see, in February, how it works out, how we can best help the community to move forward in this -- in this work.

And I think that's -- that's most of it, because on the Ruggie principles, as you said, we are just in a liaising mode, trying to help the subgroup to also have the views from an expert party who is dealing with this in multiple environments.

Thank you.

MARK CARVELL:

Thank you, Jorge. We have to move on, and I think we've covered every- -- all the points by way of reporting back on the Human Rights and International Law Working Group.

So, Olga, I will give up my seat.

OLGA CAVALLI:

You can stay here.

Thank you very much, Mark. And thank you for the report about this working group. We still have two working groups to -- to hear the reports.

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I will give the floor to our colleague Alice from African Union to report on the so-called underserved working group region -- regions working group.

ALICE MUNYUA:

Thank you, Olga. And my co-chair, co-chair Pua, I co-chair this working group with Pua Hunter from Cook Islands, so she might jump in as well.

The Underserved Regions Working Group has been quite active. The first activity was a capacity-building session that was held for Asia-Pacific members, and that was the beginning of discussing our work plan, and specifically beginning to understand what the challenges are for government representatives from underserved regions, and specifically Asia-Pacific.

Those discussions amounted to very, very good discussions which have been covered in our current work plan. And one of the suggestions was the need to have informed strategy, which we are going to, I think, conduct a survey to just begin to understand what the challenges are so then we can come up with strategies that we can use, we can adapt to address some of these challenges.

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So we had shared the work plan prior to meeting, and we are now requesting the GAC colleagues to endorse that work plan so we can begin to implement some of the suggested activities. And one of them immediately is that survey, and then, secondly, to develop a starter pack or a beginner's pack that begins to explain some of the acronyms and some of the ICANN processes that may perhaps be very complex for those of us from underserved regions.

And the name underserved regions, we also had a very, very interesting high-interest topic session yesterday where there were discussions around whether or not we should keep that name, and they're very useful suggestions that we agreed to share with you, although there are two or three people who are opposed to changing that name because there's the belief that there are regions that are still underserved. But we will provide a set of other names that provide a more positive title to it. We'll share those with you as well.

The working group has also agreed to participate in any -- in the Cross-Community Working Group that's going to be developed on auction proceeds to ensure that the issues of diversity and issues that relate to underserved regions are also taken into consideration, specifically ensuring that there's diversity within that Cross-Community Working Group itself.



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We also agreed to have some of our members participate in the Subsequent Procedures Working Group joining, I think, Switzerland and others who are on it so that we can provide input, as well as the Work Stream 2 work on diversity.

So our request right now is obviously endorsement of the work plan by the GAC. And as you'll note on the first draft of the communicate language, we're also requesting the ICANN Board to provide appropriate -- or to take appropriate action to enable implementation of the work plan with participate- -- with, you know, relevant par- -- with participation with relevant ICANN staff teams. For example, the government engagement and global stakeholder engagement groups.

So that's it, unless, Pua, you have anything to add.

Okay. So that's quickly -- yeah, those are the two issues. Endorsing the work plan and --

OLGA CAVALLI:

Thank you, Alice. I think the important -- the important issue here is endorsing the working plan.

Any comments to that?

I will take silence as a yes.

Iran.

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IRAN: Yes to yes (laughing).

Have you sent that draft to Tom for consideration in the document? Because we need to embark on that quite soon. Because --

ALICE MUNYUA: Yes.

IRAN: -- for this type of material in the communique.

Plus advice, I have a suggestion that I present at a meeting later on. But it should be sent to him for further development or further refinement in order to include in the appropriate part of the communique that we will discuss sometime soon. Thank you.

I hope we will not have any midnight sessions tomorrow night.

OLGA CAVALLI: We hope not.

Any other comments about endorsing the working plan? And as I said, I will take silence as a yes.

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ALICE MUNYUA: Thank you.

OLGA CAVALLI: So it's a yes.

ALICE MUNYUA: Thank you. And we have provided Tom with draft communique language for that.

Thank you.

OLGA CAVALLI: Thank you. And I want to commend you for your work. I would like to join the working group. And one remark I would like to say is that Latin America has also some very important underserved regions, or whatever you want to call them. So let's work together towards to improving that.

Iran, please.

IRAN: Just one clarification of what Alice mentioned. Cross-Community Working Group, she mentioned that we should further clarify what area is covering. This is a Cross-Community Working Group which is supposed to be proposed to the ICANN Board subsequent to the issue of how to use the income of

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auction. There has been an appointment of one of the board member responsible for that. The charter has been prepared and charter will be approved, and then a working will be established. And what was said, that if GAC believes that part of that income could be associated or filled or fed in order to push for this plan or program for the under- -- inverted comma, "underserved countries," or whatever name, we should participate because it is not ICANN who decide. It is community who decides. So we should participate in that cross-community working party dealing with the use of the benefit from auction. That is what was said. And we were requested to participate and we said -- the only thing I told them, that up to July we are very, very busy. After that there will be little bit of time and so on, so forth, and we will participate.

So this is that issue, that we want - we propose that possibly community considers allocating part of that to this which help everybody. It is the global outreach problems or issues.

Thank you.

OLGA CAVALLI:

Thanks to you, Kavouss. And just for your information, the GAC participated in the drafting of the charter. I was the only one participating. And it is my idea that the GAC should be involved

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as a chartering organization in the Cross-Community Working Group. I think it's very important.

We should respond if we like the draft. That's something pending from the GAC, and we should respond in the near future if we want to be part of that work, Cross-Community Working Group. We can appoint up to five members, I think.

But that's a different -- Yes, United Kingdom you want to comment on that.

UNITED KINGDOM: Thanks. I note there is a meeting today, isn't there, at 5:00? Maybe Olof will confirm. Of that Cross-Community Working Group. So there's an immediate opportunity to engage.

OLGA CAVALLI: Yes. Can you remind us, when is it? Just so we have that in mind.

UNITED KINGDOM: Well, the schedule I have is 5:00 to 6:30 in Hall 6, unless that's been changed.

OLGA CAVALLI: Thank you. Thank you.

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Okay. Any other comments about the underserved regions?

Thank you very much. And we will go to the last report which is the NomCom working group.

And if you can upload this very short PowerPoint.

As you may recall, we are working on a group of draft criteria that would be sent from the GAC to the NomCom to be considered as important to have in mind when selecting candidates for half of the Board and three members of the GNSO, three members of the ALAC, and three members of the ccNSO.

PowerPoint?

Hello?

Okay. What else we did. We incorporate some comments we receive from the audience during the -- Yes, that one -- during the working group meeting. There was an important suggestion made by our colleague from Egypt, Manal, about incorporating the knowledge of Internet governance issues and some other details. Some other delegations requested more time to review the document. It's a very short document. It's half a page. So we intend to circulate it among the working group members, agree in a text, and send it to the GAC as soon as possible so we can have some agreement on the draft -- on the criteria for the --

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for the NomCom in relation with the interests of the GAC in the selection of these leadership positions.

We can go to the next one, please.

So these are the criteria. I won't go through them. They are very simple. We already -- they're quite obvious.

And the next one, please.

So these are some suggestions made by the ICANN Board in 2014 that we think are important to have in mind as also part of the criteria.

And we can go to the next one, please.

So I would like to make a statement in the name of the following countries: Argentina, Brazil, Chile, Colombia, Costa Rica, France, here France, Paraguay, Peru, Venezuela. And of course other colleagues in the GAC can join us in this statement that I will read now.

Can we go to the next one, please.

The undersigned believe that the Nominating Committee, NomCom, has a relevant role in the selection of ICANN's leadership structure as well as in filling positions in the ccNSO and GNSO and the ALAC.

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In accordance with what has been established by the Tunis Agenda of the Information Society in its paragraph 31, the Internet governance must be based on the full participation of all stakeholders from both developed and developing countries within their respective roles and responsibilities.

In the same sense and in accordance with what is indicated in the NETmundial multistakeholder statement, it is important that multistakeholder decision-making and policy formulation are improved in order to ensure the full participation of all interested parties, recognizing the different roles played by different stakeholders in different issues.

As we consider the role of the NomCom a very important body of the selection of key roles within the ICANN structure, an active and fair participation of the Governmental Advisory Committee in its relevant -- in it is relevant for sustaining the multistakeholder model of the Internet governance.

The undersigned believe that the Governmental Advisory Committee must play a relevant role in the NomCom bringing a governmental perspective to the dynamic of the NomCom work. In this sense, we believe that the GAC must appoint a representative to be the nonvoting liaison which is established by the composition of the present NomCom structure, without prejudice that GAC may appoint representatives in different



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roles -- voting delegates, nonvoting liaisons, more than one representative -- in case that the NomCom structure may change in the future.

While agreeing with this proposal, the countries endorsing this contribution consider this is an important step forward in enlarging the avenues to uphold public-policy interests for governments and towards enhancing the multistakeholder model in ICANN.

On behalf of the government of Argentina, Chile -- oh, Brazil is missing here. Argentina, Chile, Brazil, Colombia, Costa Rica, France, Uruguay, Paraguay -- sorry, Paraguay, not Uruguay. Peru, Venezuela.

Sorry. It's just written in the screen. Brazil, yes.

Yes, Thomas, you want to say something?

THOMAS SCHNEIDER: (Off microphone.)

OLGA CAVALLI: I know, I know. I promised, ladies, I was going to speak slowly but I didn't comply now. Sorry. (Indiscernible)

Okay. This is a statement made by the countries I mentioned. In this last slide is not Brazil included but it is in the previous

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slide. If other colleagues would like to join this statement, that would be great.

I would request our chair to implement this request by these countries.

And this is the report from the NomCom working group. We will circulate the draft -- the draft guidelines for consideration to -- for the full GAC perhaps before the meeting in Denmark or maybe earlier, because it's a very short document.

That's all I would like to say. I don't know if there are comments from the audience.

Iran.

IRAN: Short comment. The name should be given to whom, the one who want associate themselves to these peoples? To you?

OLGA CAVALLI: I'm sorry; I didn't understand the question.

IRAN: The one who want to associate themselves to these people and to be part of the group, other countries, they should give their name to you directly or to announce it somewhere?

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OLGA CAVALLI: You have to say your name aloud now, if you want.

IRAN: Yes, Iran would like to be included in that list. Thank you.

OLGA CAVALLI: Thank you.

Any or comments?

I have Denmark. I cannot see you from there.

NIGERIA: Nigeria.

OLGA CAVALLI: Nigeria. And who else? And -- hold on a second. Finn, go ahead, please.

DENMARK: Thank you, Olga. I'm a little bit puzzled. I thought it was a report from the working group activities. I cannot remember that we discuss the participation in the NomCom. We discussed the criteria. So I will hope that we will discuss it in the working group that -- and that we are still open to consider other solutions. You might note that there's different things, and I, of

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course, expect that you will be open as the chairing person in that group to take all views into account.

Thank you.

OLGA CAVALLI:

Finn, it's -- the report was (indiscernible). It was very short; just saying that we are working on a half-page document, improving it. And then the rest was a report -- a statement to the plenary.

So it's not it's not something from the working group. It's a statement made by the countries that I just referred to. And I agree with you, the working group has to work on the documents and other things.

I had Denmark. Nigeria was there? And someone else? India.

And Nigeria next, and then India.

NIGERIA:

I'm also stating that Nigeria is associating itself with the statement by the governments of Argentina, Chile, Colombia, Costa Rica, France, Paraguay, and Peru, and Venezuela, as supported by Iran.

Thank you.

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OLGA CAVALLI: Thank you, Nigeria. Thank you Iran.

I have India.

Colleague from India? I don't see him.

Please, go ahead. Oh, he is over there. Sorry.

INDIA: Sorry. I want to participate in the working group.

OLGA CAVALLI: Thank you. Julia will take your email address, and add him to the working group.

INDIA: Yeah.

OLGA CAVALLI: Any other comments.

Yes, please. Can you take the floor. And tell me your name, please, because I don't recall your name.

BURUNDI: Francis Olivier Cubahiro from Burundi. Burundi would like to be part of the working group.

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I'm the representative of Burundi, and Burundi would like to join the other countries that you mentioned in this working group.

OLGA CAVALLI: Australia? Yes.

AUSTRALIA: Yes. Thank you, Olga, and thank you for your work leading this group.

I would just like to support the comments made by Denmark a moment ago. I think this wasn't discussed in the group, and the group needs a bit more time to talk. I think this could be perhaps preempting the discussions of the group, and we need some more time to consider.

Thank you.

OLGA CAVALLI: Thanks to you. As I said, it is not an outcome of the working group. It's a statement made by the countries I mentioned.

Iran, please.

IRAN: Thank you, Chairman. Some colleagues perhaps mix up the things of to be included in working groups and associating those

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countries. This should clarify. I think Burundi perhaps wants to be associated on it.

Now, coming to the procedure. Madam, you made a statement. A statement is unilateral arrangement and everybody is free to make a statement. There is no rules. I think distinguished delegate of Denmark, and I'll say that, could not prevent anyone to make any statements. You made a statement. You read name of the countries associating that, and that is quite reasonable and that is quite logical. Does not need to be discussed. That is views of these countries. Other countries may or may not join. I don't think that you need to discuss the statement.

Never in any intergovernmental organization the statement is discussed. A statement is views of those people who express the statements. That's all.

Anybody is free to join to that, but nobody is invited to state against that. If that is the case, they should have another statement, counter statement. But you just read a statement, and we join to that statement, and it is up to the chair of the GAC how to reflect statement.

I don't think that we should state it is time or not time and so on, so forth.

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Thank you.

OLGA CAVALLI: Thanks to you, Iran. Other comments? United States.

UNITED STATES: Thank you. And my apologies. Perhaps this is just a question of someone new to the GAC. But, procedurally, I'm just trying to understand the placement of this conversation. If this is intended to be a readout of the working groups, how is this intended to be used in terms of how we proceed? Thank you.

OLGA CAVALLI: The request from these countries is that the GAC appoints a non-voting member to the NomCom, which is something that is established by the structure of the NomCom. This is what the countries that I have mentioned are requesting. This is the statement. How to follow this, I give the floor to our chair.

CHAIR SCHNEIDER: Thank you. Thank you, all. And thank you, Olga, for championing this. I was in a meeting of the Board, as I think you have been informed.

We have some rules for these working groups. They may also be further looked at, of course. But I think that there are two issues,



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basically. One is the working group is a subgroup of GAC members and observers dealing with issues in the hope that this is a more effective way of coming up with proposals and things that may then be adopted by the GAC. So, instead of working on everything in plenary, we have created working groups. So that's the underlying basis of the legitimacy of the working group.

And, if the working group agrees on an issue, they come up with a proposal for the GAC to endorse -- and that can be the work plan, that can be substantive outcomes, that can be proposals for advice, whatever. If the working group does not agree on a position or on a substance after having discussed it -- and that doesn't mean that this necessarily is the end of the discussion then, of course, this can be moved to the GAC and be discussed in the GAC. So everything that goes through a working group can be moved to the discussion in the GAC. Because -- yeah, this -- there's no prohibition in that sense that any GAC member raises an issue and requests that this is discussed by the GAC. Whether it has been discussed by the working group before or not is not really a reason to say no.

And one thing is that. But then it needs to be tabled as a proposal of an issue or of a piece of advice or whatever. And then the GAC will look at it.

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And, of course, as I said, if a working group has already looked at it and has adopted it, then this is, like, the more efficient way to do it. But maybe that is not possible. So, if you don't have an agreement on something in a working group, you can -- somebody can bring this to the GAC for discussion.

And this is why we -- well, we took some time to -- we're still working on trying to find the best ways to create the links between working groups and the discussions that are going on there and the GAC. And also, because time in the GAC is limited, so this is why we do not have -- unless people request for it, we do not have that much time for issues that are discussed in the working group.

What we did this time is, for instance, the Public Safety Working Group got two slots to present work that they're doing and has provided the space for discussion and decision, if that's appropriate by the GAC. The working group on operating principles has had, in addition to the working group meetings that Olof has had or is having another one tomorrow, slots where they can pick up things that have been discussed, maybe decided, maybe not been agreed in the working group that are then discussed, presented and discussed. And then maybe a decision is taken in the GAC. So that's the normal procedure.

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And the other working groups that have had meetings, they have decided this time to give them less space in the GAC because of priorities and of timing issues. But that doesn't mean that the issues that are discussed in these working groups do not have the same rights, if you want to say so, to get space to be discussed in the GAC. So it's the same. There is no -- not agreement on everything in the operating principles working group. So things get moved to the plenary and are discussed there. The same can happen here. And, like, concretely this time we have, like, 15 minutes for every working group to report, discuss, and take decisions here. This is a very narrow -- a very challenging, of course, time frame. But we had no -- we felt like we had no other choice. This is why we presented this agenda to you.

And, in this particular case, of course, Iran is right. Everyone has a right to make a statement. The question is, basically, do you want to -- those who put this statement forward, do you say this is a statement -- in addition to making the statement, we request that this is discussed in the GAC because we've been discussing this in the working group for quite some time. We are not convinced that this is getting anywhere to a consensus or whatever. So we would like to raise it to the GAC. This is a normal thing that any working group happens to any issue. Either it's resolved in the working group and then presented as a

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consensus proposal, not resolved, and the discussion is moved to the GAC, if countries would like to have this discussed. So we have only very limited time this meeting. But, if there's a request to give more time to this in the next meeting and, of course, also to -- the first step would be that, as a result of these discussions that you've been having for the last two years or even more, I don't even recall when that particular working group has been created, they can decide that this is an issue that -- of concern of interest to at least many countries in the GAC and that at the next meeting will give this at least a 30-minute slot or whatever, maybe even an hour slot -- it depends on the priorities of other issues --

and that we can use the time electronically to not just discuss this in the working group where a limited number of countries participate but discuss this electronically on the GAC e-mailing list. This is a procedure that I would propose, given that the discussion in the working group has been going on for a while, no consensus has achieved.

If this is still an issue that is important to at least a number of countries, that we move this -- we'll double take the decision that we take this out of the working group and move this to the plenary of the GAC, continue, exchange electronically, and give this issue a time in the next meeting in the plenary. That's what I would suggest.

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Because, obviously, there is no chance to resolve and properly discuss this in 15 minutes. That is clear. So we will not do justice to the issue if we say we'll have to solve this in these 15 minutes.

I hope that makes sense what you say. Yes. Argentina.

ARGENTINA:

Thank you, Chair. Thank you for understanding our concerns. I would like just to say that this is an established space for the GAC. It's not -- we're not inventing something new. There's a place for the GAC that the GAC is not using that we are not benefiting from giving input to a very important group that selects half of the board and many leadership positions. So we are not participating there. And we think this is not convenient for a multistakeholder balanced participation of governments in this organization.

And, as per your proposal, yes, we are okay with moving this to the GAC. But we would like to work electronically before the next meeting, because we think we may profit from time between here and Denmark meeting. Thank you.

CHAIR SCHNEIDER:

Thank you. I think I would advise not to discuss the substance now but to discuss whether you share my view about the procedure that this is moved to the GAC. Because there seems to

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be an interest. And then we discuss how to deal with this electronically.

And we can use the same topic lead, if you want, like the GAC chairs. But that we open this up to the whole GAC, that would be my proposal in this situation. United Kingdom.

UNITED KINGDOM:

Yes. Thank you, Chair. I think that's a good approach. I mean, I think the practice should be, if a member or group of members want to make a statement, that they actually notify the secretariat and the committee of their intention to make a statement. And then provision is made in the agenda in the proper way. I mean, this is taking up time of the reporting of the working group. And, as I understand it -- I'm not a member of the working group -- the working group hasn't discussed this statement. So the process here in terms of agenda has got totally confused. And it's not helping the members who produced the statement in this way to present it without any warning, as far as I'm aware anyway. And I'm just reacting. Where has this come from? It hasn't come from the working group. As a matter of standard practice, a formal statement of this kind, if it could be prenotified and then time set aside, as the Chair has described, we can prepare for it and consider it and react to it. And members can consider if they want to join the

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existing signatories and so on. But a proper process and time slot should be made for it. Thank you.

CHAIR SCHNEIDER:

Thank you. Before giving the floor to Iran, I wasn't there when it was introduced. But Brazil made a statement yesterday during the election session that was not announced either. We have had other statements that sometimes, like informally you're informed. It's also a question of how long a statement is. So, basically, you don't have to announce or ask for time to make a statement. You have, as Iran said, you always have the right to make a statement. And, of course, you expect that the statement won't take hours also in respect for respecting the timeline. But, basically, every government has a right to make a statement at any time unless you need to end a meeting or there's, obviously, time constraints that you need to say, sorry, this is not possible now. And then you find another time.

Maybe it hasn't been presented very clearly that there's a distinction between the presentation of the reporting of the working group meeting hasn't been separated in a way that it has been understood by everybody from say, okay, in addition we use the time, this very narrow 15 minutes that these delegations would make the statement here because it is linked to this substance.

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So they were looking probably for a way or a place that would be best suited to make the statement. But, of course, any delegation can take the floor at any time and make a statement. But it's maybe a little bit about, since the statement came from the same person that was at the same time the chair of the working group, to just make that distinction or in the role slightly clearer. I think that may help for in the future.

But let's not lose too much -- I urge us let's not lose too much time. This is a detail we all learn from it. We'll try to do it more clearly next time.

But I would suggest that, as I said, we take note of the statement. Those who want to join, can join. Those who don't want to don't have to. That's one. If this is picked up, that's a statement that everybody takes note. If this is picked up in the discussion on the issue in the plenary of the GAC, then I think that's probably the aim of those who issue the statement.

This will be picked up anyway, because these are not new positions. It is something that several governments have had throughout the period. Other governments have had different views about the same thing. So we'll have that discussion. And we'll see with what we come up in the GAC in terms of agreement. To my knowledge, there are several elements that have been discussed in the working group. One is the criteria



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from a public policy perspective about selection of people and so on. And the other one is the question of participation of the GAC. And there are several, let's say, levels of participation or variants of participation.

So this will all be discussed now in the GAC, if that's the request. And -- yeah. And that statement is one element that people can use to communicate their positions or their expectations. Others who do not share this view, they have their views to share their views and communicate their expectations. Iran, you had requested the floor. Thank you.

IRAN:

Yes. I have requested the floor.

Chairman, after the chairman of the group provided his report, then inform the GAC that a group of countries have that views in the form of a statement. First of all, I do not agree with Mark that we need to inform the secretariat of a statement.

When we made the statement, we need to give a copy of the statement to the secretariat to be exactly identical to what we have said. That is that, we don't need to talk about the secretariat or get agreement of secretariat nor that we have chairman nor the agreement of anybody. You will rightly mention that. Perhaps either this country wants that. When the

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report of the group appears in the communique, you pass your first step to a statement made by some countries attending that group. Or the countries made the statement they want that -- they discussed this issue at the next meeting of the working group. These are the three possibilities. So I leave it to Argentina and other people associated to them whether they want to have the statement associated with friends in the communique at the end of the communique or they want just to leave it an issue for the next meeting to discuss and to carve out more practical solution. We will discuss it during the break. Thank you.

CHAIR SCHNEIDER: Olof.

OLOF NORDLING: Totally different matter. Thank you, Mr. Chair.

There is a paper bag on the table in the back of the room. And, please, if you haven't already done so, put your business card there. And you'll have the opportunity of winning the marvelous door prize that Tracey showed the other day. Just a reminder. Thank you.

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CHAIR SCHNEIDER: Thank you. I think that is the last report and the last discussion - or discussion on the last working group. So thanks to all of these who worked in these working groups. And also thanks to the chairs, which is not an easy exercise, as we all understand.

Before we go to the coffee break, I just wanted to inform you, because I think this is of interest to many of you, that this morning in the meeting of the Board, the Board adopted a resolution on -- the exact title is -- let me -- two-character domain names in the new gTLD name space. That was the title of the resolution. And there was an explanation of the rationale. And GAC advice was referred to several times from Los Angeles 2014. That was cited to Helsinki advice. It's been said by the Board that this has all been taken into account.

And I just read you -- because I think that some of you are interested in this. I'll just read you the decisional part of that resolution. That is one paragraph that says: "Resolved, the measures for letter letter or two-letter character ASCII labels to avoid confusion with corresponding country codes as revised are approved. And the president and CEO or his designees is authorized to take such action as appropriate to authorize registry operators to release at the second level the reserved letter letter two-character ASCII labels not otherwise reserved pursuant to specification 5, section 6 of the registry agreement subject to these matters."

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And then there's a long rationale and so on and so forth. So we don't have time to go into details. I thought it was interesting that you know that this has happened.

I have been looking at the measures that is this one-page document that was up for public comment that a number of you commented on during summertime. These were the measures that are now approved as revised. I'm not sure what exactly -- whether they have been revised or not. But it says that these measures that have been up for public comment are approved as revised. This is all new, so I -- I am not up to all the details. I just think you should know that this decision has been taken. Very quickly, New Zealand. And then we have to let you go to the coffee break.

NEW ZEALAND:

Thank you, Chair. I don't want to keep everyone from their break.

Could we perhaps request from the Board what "as revised" means? Or a document? It's quite hard to assess the resolution without this information.

Thank you.

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CHAIR SCHNEIDER: I think we can. So we will issue some advice on this this afternoon. And yeah.

Let's discuss this in the afternoon. Iran, very briefly. And then I'll stop this, because we'll look at this in our discussions on the communique. Thank you, Iran. Very briefly, please.

IRAN: Yes, very briefly, I hope that "as revised" means they have taken into account the communique 56 GAC, I hope. Thank you.

CHAIR SCHNEIDER: Thank you. This is the coffee break now. After that there will be the public forum that starts at 11:00 in the room next door.

And then, of course, I have to be -- I should be there, because I'm part of the board. You are also free to use the time in parallel to discuss the zero draft that you received for the communique. So you're free to use this time as you see best.

Thank you, all. And we will resume as GAC what is it? 1:30. Okay. Yes. 1:30. Thank you very much.

[ Coffee break ]