
JOHANNESBURG – GAC Planning for ICANN 60 Meeting
Thursday, June 29, 2017 – 14:30 to 15:00 JNB
ICANN59 | Johannesburg, South Africa

CHAIR SCHNEIDER: Then now we have seven minutes left, and I'm trying to do something. So we'll see whether we get there.

I got the feeling from a number of countries that we wanted to try and have an agreement on our proceedings with the Empowered Community, first-ever in history case that we are part of now and that we should try and get as much clarity on the procedures for these 21 days before we leave. So I'm trying to do this. We have seven minutes left. So here's my proposal.

We have these draft interim principles and guidelines about our work in the community. And I think there's some of the elements that may be in that sense acceptable.

If we would take what we have now in the briefing paper as a one-off interim guidance on procedure that we'll use for this one and only case for our participation and then spend more time on discussing this hopefully intersessionally, if resources are available, and definitely at the next meeting, on developing these procedures. But that we would be allowed to go this one first case based on what we have now, understanding that this also in the future, basically participation, should be on a case-

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by-case basis depending on a discussion to what extent GAC participation in this is meaningful.

So this is one thing. The proposal is to accept this as a first-case basis for participation, and we'll develop this further after these 21 days with a view to using it for next -- reworking it for using it for next occasions. That's one element.

The other element is that understanding that we are now at stage 4. If we would say, yes, we accept this, that still gives us -- that we would say we need a consensus GAC position on the substance of this so that we in the 21 days will see whether we get a consensus to support this bylaw change. If there is no objection to support it, we would then say we would support it. If there would be no objection to reject it, i.e., if everybody would say we don't want to support it, we would want to reject it, then we would reject it.

If there was no agreement, if there was objections to either support and also to object it, we would then abstain from it. So the fact that we would agree now to use these procedures to participate would still leave the freedom to every -- give the freedom and the choice of every country to then on the substance say we agree to support it or we do not agree to support it for whatever reasons. So if we didn't have a consensus on supporting it, we would abstain. Or if we did have

consensus, which I don't expect, on rejecting it, we would reject it.

So this is the proposal I'm trying to make in the hope that we can go along with this -- for this one case without. And we would put in black and white 50 times in the document that this should not set any precedent for any future principles and guidance that we would use. That is my reaction to the discussion that I had during lunchtime with a number of you.

So your short views. Basically, yes or no. We can't negotiate on the details.

Thank you. Iran.

IRAN: Yes. With the condition you mentioned that this course of action shall in no way put any person for any future action, I don't think that we have difficulty.

CHAIR SCHNEIDER: Thank you. Denmark.

DENMARK: Thank you, Mr. Chairman. We can also accept this on a case-by-case basis. What will be important and what I also understood

from you, this will only be valid up to next meeting. Then there will be a totally new discussion and decision. Thank you.

CHAIR SCHNEIDER: Other views? France.

FRANCE: Thank you, Chair. Just wanted to agree with previous speakers. I think we need to test these principles anyways. So I think the opportunity we have with the issue on reconsideration requests and general bylaws is a very good one. So let's test it, and then we can rediscuss it in the Abu Dhabi meeting. But I support your proposition. Thank you, Mr. Chairman.

CHAIR SCHNEIDER: Thank you. Any objection?
Canada.

CANADA: Thank you, Mr. Chairman.

I just wanted to seek clarification on whether the guidance that you're referring to includes both the principles in the brief and the procedures and what will happen if at a later stage we are

not able to agree on more permanent principles? Will the interim ones stand indefinitely? Thank you.

CHAIR SCHNEIDER:

No. The interim ones will be defined as valid -- validated for this particular case. As I said, that will be clear. And I guess it's in the transcript, so you can track us on this one. And we will make sure that we have significant time in Abu Dhabi to discuss the principles, the procedures for step 1, 2, 3, and also for 4 because I think one of the learnings is that we really have to have some time to go through this in detail.

And with your support -- and, again, I'm urging people to signal who is willing to work on this intersessionally, if we can, that we form a small, informal group that is trying to move this forward because, otherwise, it's probably going to be difficult again because we have been working on this since Dublin in 2015.

Okay. Iran.

IRAN:

Thank you, Chairman. I think the way now of proceeding having this qualification, condition, this is one-time actions and will not be repeated in future the same. So the only thing you need, that allow the people to reflect and come to you. I don't need to have a group establish what this particular thing. This particular

case is quite clear. The only thing that people go back to the capital. And when you start to have some discussions, they will alarm that okay, they have no problem. But I don't think you need for this action a working group. Maybe for the more permanent action you need but not for this one. Thank you.

CHAIR SCHNEIDER: Yes. Maybe I was not expressing myself clearly. I didn't mean for this one, but for the preparation of the discussion in Abu Dhabi, it would be good to have some interaction before Abu Dhabi. I hope that clarifies. But of course we can't force anybody. United States?

UNITED STATES: Yes. I somewhat partially agree with Iran. I -- it's not clear. We haven't had much time to really talk about the proposals, so I'm not sure what we'd be working on, as we haven't still kind of gotten to that point, but I'm certainly open to think about it. Just maybe some more clarification from you as to what would be the expectations.

CHAIR SCHNEIDER: The expectation is to -- that we need more people to help us prepare the discussions in Abu Dhabi, because we may -- maybe have two hours or three hours, instead of one hour -- or actually

we had one and a half hours this time -- but we may not have 25 hours to discuss it. We'll never have this. So we have to start thinking and discussing and exchanging views before we go to Abu Dhabi. That is my simple -- and if you have -- if we have names that we know that they are committed, of course that helps, but I -- don't take it as an attempt to confuse you. I'm just signaling that we need your support to work with this before Abu Dhabi because we'll not have -- we'll never have adequate resources to discuss this for tens of hours. That's it.

But -- so to come back, so can I take it as agreed that we'll use this as a first case, one and only case, procedure that we're working with?

In that case, we would still need to see then on the substance. This was about the fact that we will agree to participate. On the substance, we would seek -- with an email, seek your view on whether or not -- what your position is, whether you would agree to support this bylaw change, that the GAC should support this bylaw change, or do you think the GAC should abstain or whether you think the GAC should oppose. Then we will try to have a discussion on the substance.

We may have a teleconference on discussing the substance, if we see that that makes sense. If we see we will not get consensus by no means, we'll not bother. If we see we may get

consensus -- if we have consensus, we don't have to do it. So we'll see how this goes. Okay?

Iran?

IRAN: No problem for this, but for the other issue that you mentioned, creation of a small group for the future action, if there is a group established, I will be happy to participate but not to lead because I don't have time to put text, but I could contribute and maybe on my own, but not having -- leading -- carrying everything. So if you establish, I will be one of the members. As you suggest. If you don't establish, that's up to you. Thank you.

CHAIR SCHNEIDER: Okay. Thank you. So we'll see how things develop, but that will be after the summer break, at least, for --

Okay. So I hope that was clear. All right. So with this, the meeting is over. We will -- as you -- as we said, it's now 3:00. We'll see about the communique, what text that we've got --

UNKNOWN SPEAKER: (Off microphone.)

CHAIR SCHNEIDER: Well, actually, that was already part of the planning for ICANN 60, for the most relevant part, one of the most relevant parts of ICANN 60, so we take this as planning for ICANN 60, I guess, because we can't continue any longer. People will have to free this.

Okay. Thank you, and, yeah, see you in Abu Dhabi.

And thanks, everybody, the interpreters, the technical staff, everybody who was with us who supported our work, ICANN support staff, Olof, et cetera, et cetera. Thank you all very much. And see you in the geographic names session.

[Applause]

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