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ABU DHABI – GAC Human Rights and International Law Working Group
Sunday, October 29, 2017 – 08:30 to 09:30 GST
ICANN60 | Abu Dhabi, United Arab Emirates

UNIDENTIFIED MALE: Good morning. ICANN 60. This is Sunday, October 29th, GAC Human Rights and International Law Workshop.

MARK CARVELL: Good morning, everybody. We're going to start in about two or three minutes, the Human Rights and International Law Working Group. So, please take your seats. Well, most of you are actually sitting down. That's very good of you. Thank you.

Okay, let's start. Good morning, everybody. This day two. Still the weekend, but we're off and running anyway as the GAC, so that's a good thing.

This is a meeting of the Human Rights and International Working Group. You have the luxury of three co-chairs for this working group. There's myself, Mark Carvell for the UK. To my left, Milagros Castañon, Peru, who is recovering fully I hope from the heavy cold from the flight and difficult flight, but wish you well for a full recovery. And Jorge Cancio, Switzerland, on my right is the third co-chair.

For those not familiar with this working group, the objectives are set out in terms of reference on the GAC website. Just a brief resuming of that, the objectives include considering any appropriate steps that ICANN could take to ensure that its technical coordination of the domain name system is managed in a manner which respects human rights and relevant international law, pursuant to and consistent with, among other legal instruments, ICANN's Articles of Incorporation.

Secondly, cooperating with ICANN's advisory committees, supporting organizations, and communities. In particular, the cross-community working party on ICANN's corporate and social responsibility to respect human rights. We have with us here the chair of that working party, Niels ten Oever, to my right on the panel here.

Third objective for the working group is participating in applicable ICANN workstreams, policies, and studies to promote a shared understanding of human rights and relevant international law.

So, those are the three objectives. It's not an exclusive list, but it's the key ones that we have in place at the moment.

Today's agenda. Well, the agenda reflects a lot of activity that's been going on in the ICANN community in the area of human rights. We'll start off with progress of the cross-community work

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stream 2 subgroup on drafting a framework of interpretation for human rights relating to the core value that's now in the ICANN bylaws regarding respect for human rights. For that, we're very privileged to have with us Niels ten Oever with another hat on as chair of that subgroup of work stream 2. With him is Vedushi Marda at the far, far right who will also speak on that agenda item.

I slightly changed the order. We're going to go from that item to item four about ICANN's operation or implementation of the core value commitments, and for that we're privileged to have with us Theresa Swineheart to Jorge's right here. Theresa Swineheart is Senior Vice President for strategy, senior advisor to the CEO and President, Göran Marby, in that function. Theresa has a long history of interest and activity in the area of human rights and economic and social impacts and political issues as well. A great expert in this area.

We've got an hour, so we better kick off quickly with the next agenda item, the first agenda item, unless my co-chairs also want to say anything at the opening. No? Okay. I'll turn therefore to Niels to lead off the first item to report on the framework of interpretation, the report to the cross-community working group on accountability for the work of his subgroup and next steps and so on. I'll turn to Niels and there's a slide set I think

which is on the screen. Thanks very much to Julia and [Gulton] for that. Okay, Niels. Thank you.

NIELS TEN OEVER: Thank you very much, co-chair, [inaudible] representatives. It's a great honor and a great pleasure to be here amongst you all at this time in which ICANN happily reports back that we got yet some more progress on this work in which we've been engaged together in the human rights subgroup of the cross-community working group on enhancing ICANN accountability.

To refresh all our minds, of course it's still early in the morning, let's go to the next slides and remind ourselves of the whole process.

This work, of course, started off in work stream 1 as part of the ICANN transition in which we jointly drafted a bylaw which outlines ICANN's new core value to respect human rights.

Well, then, there was another bylaw added which said that the bylaw on human rights would only be activated once a framework of interpretation had been developed in work stream 2.

In work stream 2 with the great contribution from also several GAC members and other members of the community, we've

managed to come to this framework of interpretation and a considerations document.

Once this document has been accepted by the CCWG, we have had two readings in the CCWG plenary. So, that happens. It goes up for public consultation yet again, and then it goes up for acceptance by the SOs and ACs and ICANN board.

And once that ill happen, which we hope will happen by June, then the human rights bylaw will be activated.

That is where we are now, at a process where we in the CCWG and in the subgroup have prepared our work. We came to a consensus based on all the great input we received from many of you. Next slide, please.

So, the last time I spoke to you we were just finished with the public comment period in which we received 12 public comments, several also from GAC members. We got great comments from the government of Brazil, UK government, Swiss government, as well as input from SOs and ACs and individual contributions.

The subgroup really diligently went through all the comments, and after we went through the comments, we've had an at times intense, but very constructive discussion which led us to come to full consensus on the work.

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One of the most contested topics was an extra reference to the UN guiding principles for business and human rights, as well as also the German delegates mentioned last time that the list of instruments and declarations that we mentioned in the document is not an exclusive list, so it also has been made clear that the list is not exhaustive of the human rights documents.

On the next slide, you will see consensus text – sorry, the UN guiding principles and business and human rights as we've had a presentation about them here, again, but just a short reminder the UN guiding principles and business and human rights of the three pillars that allow us to see how human rights also function within the framework of non-state actors.

The first pillar is of course the state's duty to protect, which you're all very familiar. The responsibility for non-state actors to respect human rights and access to remedy for victims and due process.

In the next slide, you'll see consensus text that we managed to add. The red text is the new text that has been added to outline that the guiding principles can be useful when applying the human rights core value in business activities, but also showing that the UN guiding principles for business and human rights can be used as an inspiration for applying to living up to the human rights bylaws by the SOs and ACs. And as some

participants of the subgroup said, this is a floor, not a ceiling, so it is a great venture point from which we can jump off into the future.

Now, slightly moving forward to the future – next slide, please – we can have a look of what that future could hold for us. That is that the human rights core values should be taken into account by the SOs and ACs in ICANN organization when considering policy matters. Then the interpretation of the human rights core values should be driven by the framework of interpretation which was just developed. And the supporting organizations could consider using human rights impact assessment in their respective policy development processes, but advisory committees could also consider similar measures defining and incorporating [HRAAs] in their respective processes.

So, we thought it might be beneficial to you to have a short introduction to some work that has been done in the cross-community working party on ICANN's corporate and social responsibility to respect human rights to see what integrating [HRAAs] in ICANN's processes could look like. And to present there, we have with us Vidushi Marda. So, if the co-chairs will allow, we will continue or we could do questions or comments first.

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MARK CARVELL:	Thank you very much, Niels. Perhaps we just stop at that point briefly to invite any questions about the framework of interpretation from colleagues here, so here's your opportunity. I see Iran. Anybody else raising their hand? No, okay. Kavouss, please. Thank you.
KAVOUSS ARASTEH:	Thank you. Good morning distinguished colleagues. I don't have any question. I want just to comment that the final consensus was reached after considerable efforts of the three members of the GAC and [inaudible] Brazil and Switzerland at the other meeting including myself that we tried our best in order to convince the other people that the public comments need to be taken into account [inaudible] practicable and possible.
	We would like to sincerely thank Switzerland, Jorge Cancio. He made a lot of effort sending mails and mails one after the other in an [inaudible] manner and never give up. Tried to put new voice, new text, new elements and convinced the people in the peaceful Swiss manner that they have, and Jorge has always, a neutral country. He, together with the goodwill with our capable chair, succeeded that the final consensus was reached.
	There was considerable pressure from other parties that, no, we cannot do that. We cannot take that into account. But, finally, something [inaudible] and I think that is one of the good

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elements of the multi-stakeholder working matter, that we need to work together. Just to thank all those three countries, plus or in addition, the personal effort of Jorge Cancio and our distinguished chair. He was very, very patient with all of us and assisted us and finally agreed after so many … Sometimes people criticize him, the other parties, but he also was quite peaceful and agreed to the text. We thank you very much and really deserve appreciation by everybody. Thank you.

MARK CARVELL: Thank you, Kavouss. I certainly endorse all those comments, even though I was one party in that, but certainly Jorge did a fantastic job and Niels was indeed an excellent chair of the whole process. It's an exemplary experience of how important it is for government representatives on the GAC to participate in these processes.

It was hard work in particular for Jorge, but it certainly contributed to a valuable consensus of the whole community.

Another question. Indonesia. Yes, thank you.

UNIDENTIFIED MALE: Just one, plus one question. You are talking about a human rights impact assessment and human rights states. That's the working group also discussed the other thing about the data of

the WHOIS lookup, because if I'm not mistaken, in the last ICANN meeting, I think they had a discussion about our data that can be accessed by public, so [losing] the WHOIS lookup. It may happen that it's not in line with several countries personal data protections. There was information that it can be [inaudible], but we have to pay a bit of money, a sum of money, to the operators. Now, if it's one person [inaudible], it's okay, but it is 100 million Indonesian persons. That will be a lot of money. Thank you.

MARK CARVELL: Thank you very much. That's a very interesting angle that is highly relevant, so thanks very much for raising that and making that point. Anybody else wanting? Jorge wants to come in at this point as well. Jorge?

JORGE CANCIO: Thank you, co-chair. Good morning, everybody. First of all, thank you very much for your kind words, Kavouss. I had a very precise question for [inaudible]. He's looking at me with reluctance, perhaps. No, it's a very easy one. Just for the information of this working group, first, when are we going to see really the final, final text of the FOI and the considerations? So, a version that we can circulate to this working group and also back to our ministries back home? And what is more or less

the timeline for adoption of the FOI? Because, as we know, and now it's gone through the plenary with two readings, we had all this consensus meeting discussions, but it has still to go to a chartering organization and everything, so it would be good to have a feeling on when this will be really effective so that we also put the other efforts that Vidushi will explain and the others internal of the GAC into that timeline, so that we have more or less an estimation of how much time we have really to do this work for implementation. Thank you, Niels.

NIELS TEN OEVER: Thanks so much, co-chair. First of all, I think we do not necessarily need to wait with the next steps until everything is done. Like my mother always said, it's never too early to start working. But, if we look at the timeline, now we've had the second readings of the work of all the subgroups in the plenary, so in the CCWG we're now preparing the full report. The full report of the CCWG will go to public comments, but that public comment process will not be on the content of the reports, but on inconsistencies between the readings of the different subgroups because the subgroup texts have all been open to a public comment, but now to ensure that the whole body of work of work stream 2 is internally consistent. That goes for public comment period.

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Once that is done, and if needed, changes are made, the report will be brought before the chartering organizations and once they accept it, it will be forwarded to the ICANN board, who will then accept it. And because the funding and the mandates of the CCWG runs until June, it is accepted that in three meetings from now, the whole body of work will be accepted. That is the timeline. You can read the full framework of interpretation and consideration documents in the upcoming public comment periods in which of course I invite you all to respond. Then, we hope towards June we will reach an activation point.

MARK CARVELL: Okay. Thank you, Niels. Roughly the dates that the report goes to the chartering organizations is going to be when? Is that March, April, or earlier? Something like that. Back to you, Niels and Vidushi, maybe. We proceed on that basis. Thank you.

VIDUSHI MARDA: Thanks, co-chair. Before I move into the specifics of the model that we've developed, I think it would be really useful to talk about what the cross-community working party on ICANN's [inaudible] social responsibility to respect human rights actually does.

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So, our mandate is to research and conduct analysis on the human rights impact of ICANN's policies and procedures. So, we look at both potential and existing risks. We aren't a policy development body, but we're more informing the policy development processes within ICANN.

Because of this, we've been analyzing the human rights impact of the subsequent procedures PDP process. We've look at new rights protection mechanisms. Most recently, we've also looked at the economic, social, and cultural rights impact of both existing and potential at ICANN.

Against this background, as we wait for the human rights bylaw to go through public comment and get approval from SOs and ACs and then be adopted by the board, we thought it would be useful to begin thinking about what living up to the bylaw would actually look like.

The best mechanism that we have found for that is the human rights impact assessment models. Before we get into the nitty-gritty, I think it's important to think about where this fits. Could we go to the next slide, please? Actually, maybe two slides ahead. Yeah.

So, this is meant as an initial sketch. It is by no means meant as a replacement of existing policy, procedures. We're not saying

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that this should be the model. This is more like inspiration for what a model should look like.

The research conducted here is based on best practices of human rights impact assessments from a cross sector. So, it's been done for businesses that are very much focused on one sector. For example, like FIFA, as opposed to businesses that cut across sectors. So, we've used all of that knowledge to kind of optimize that for ICANN's complex, but unique [inaudible], if that's the correct word. Next slide, please.

So, human rights impact assessments are interesting because they're an accountability mechanism for affected parties. Businesses and human rights, as we know, have a complex relationship. [inaudible] as a mechanism by which affected stakeholders that aren't just the particular business or just governments, but a variety of affected parties can look into human rights impact assessments and the human rights impact of different policies and procedures within a particular company.

It also helps to evaluate the impact of business activities against metrics that can be decided upon before the evaluation begins. It also ensures that businesses respect human rights by making an effort to first identify. Secondly, I would say [inaudible]. I deviated a bit from the text. So, identify, understand, mitigate,

and remediate potentially negative human rights impacts. Next slide, please.

So, the aim of this particular model is to ensure a few specific things. The first is non-discrimination, which is within the ICANN community there are many stakeholders. So, to have a fair impact assessment that allows stakeholders to engage with the process as well as be heard during the process is something that we've taken quite seriously while developing this model.

The second is transparency. There's a lot of scope for misunderstanding or maybe even lack of communication in such a complex process that's looking into specific policies and trying to evaluate them. So, we've also tried to have a really high bar for transparency.

Also, it is building into ICANN processes. So, this is not meant to be a standalone process. This is not meant to be an additional process that requires a new group or anything like that. It's more so that we can enhance existing procedures to live up to the bylaw according to [research] best practices. Next slide, please.

So, this will look familiar to many of you. This is the GNSO PDP process that's been summarized. We use this as kind of the framework within which we would identify where what work gets done and how. If we could move to the next slide.

The human rights impact assessment, so to speak, this is pretty much the meat of the model, will take place in three phases. So, the first is planning, scoping, and mapping. The second is analyzing the impact. The third is mitigation reporting and evaluation.

When it comes to the first phase, which is planning, scoping, and mapping, what is most important is to first identify who the key stakeholders are against what the risks are or what the human rights risks could look like in the future. It could be who are the rights holders affected by it. Who are the other affected bodies? Who are the duty bearers that we want to engage with to make this a easier and more seamless process?

For example, rights holders could be end users, could be registrants. Duty bearers could be the GNSO Council or ICANN staff. Other relevant stakeholders could be the NCSG, the CSG, registrar stakeholder groups, and so on.

The most interesting part of this particular phase would be also defining the exact human rights standards and principles against which you look at risks.

So, you could have international human rights frameworks, which is the UDHR and the UN guiding principles of business and human rights. You could also have human rights principles.

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All of this needs to be discussed really at the first phase because it serves as a baseline against which you then conduct the actual impact assessment.

This is also a really good point at which you can look at … You can sort of take stock of what already exists, so as to organize all the energy that has already been put into policies and procedures.

The responsibilities really in phase one are to ensure that a thorough initial scoping of human rights implications of a particular PDP have been done, which is kind of what we have been doing at the CCWP. And you also justify potential risks against human rights frameworks and against corresponding rights holders and affected parties.

Then you move to phase two. Actually, could we move to the next slide? It would probably be more useful.

As you can see, the first phase which is the scoping and mapping phase, starts from when the request for an issue report is given to the preliminary report. This mapping exercise will be super useful to have as the baseline during the preliminary report for which you invite public comments.

Then, we move to the second phase which is actually analyzing the impacts. This is where we really enforce the transparency

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and non-discrimination, but because public comments would require not just keeping it open for public comments, but making sure that the relevant stakeholders that have been defined in stage one are actually consulted and have been engaged with at this point.

This stage is really to define the potential risks and to not just go beyond desk research, but to speak to communities and affected parties. It also strengthens the report that it builds on. It also serves as an opportunity to better understand what mitigation measures could be put in place. This ends the working group's final report.

Then, if we move to the third phase, which is the impact mitigation and reporting and evaluation phase, this starts right after the working group's report has been published and is a continuous process because once you've identified stakeholders and once you've analyzed impacts to public assessment and consultation with stakeholders, then it becomes sort of like a living process where it is fed into PDP processes, but it's also fed into public comment processes.

Again, just to reiterate, this is not meant to be an indication of what it will be, but what it could be like based on research of best practices. We're happy to share a lot of resources that we have been using to better understand how to frame and build a

model like this and we'd be happy to engage more with you later today. At 3:15 we have a session on the CCWP in Hall B.

I think I could stop there for now and I invite any questions you may have and also [inaudible] our session this afternoon. Thank you.

MARK CARVELL: Many thanks, Vidushi, for going through all that. This is a kind of model that you're suggesting to the SOs and ACs for undertaking this work.

VIDUSHI MARDA: Yeah, exactly.

MARK CARVELL: It is open for SOs and ACs individually to decide to use another model. Is that right?

VIDUSHI MARDA: Yeah, of course.

MARK CARVELL: We're not setting anything in stone here.

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VIDUSHI MARDA: No. This is just sort of like an initial inspiration because we haven't really had that conversation within ICANN yet.

MARK CARVELL: But, you'll be presenting this in the session to follow. Just one other question with regards to the choice of standards, as you mentioned, for example, the UN guiding principles, the [inaudible] framework. Are you submitting advice to the SOs and ACs as to steering them to particular standards such as that one or again are you leaving it entirely open?

VIDUSHI MARDA: I think that is the [inaudible] of the model, which is that you decide your own standards right at the beginning. So, in the FOI, which is the framework of interpretation, the UN guiding principles are suggested as a mechanism, but it's not mandated, which is why in the first phase when we're looking at what metrics will we decide this against, the particular PDP process decides its own standards. It's kind of like a neat circle where you decide the standards and then you adhere to the standards as long as you're able to justify it through both consultation and public comment.

MARK CARVELL: Okay. Thanks very much. Over to you. I see Indonesia. Anybody else wanting to raise their hand at this point? Questions or reactions to Vidushi's presentation? Indonesia and then Jorge wants to come in.

UNIDENTIFIED MALE: Thank you. It's very interesting topic when you are talking about human rights impact assessment. Today we have a lot of problems in the world at many countries. At least Indonesia we have [inaudible] problem because social media operators, getting their license from ICANN for their domain name and so on operate a lot of social media and everybody can put their comment on their social media.

Now, does social media operators have a list of obligations that the user when they use that social media has to follow some rules? For example, you should not say bad things about religions, you should not make fake news, or things like that.

But, as a matter of fact, this is not always followed. The user not always do that. And because of that, there are a lot of fake news in the country and used by many groups making about hate speech and so on and so on. And this because the mitigation is that it may cause higher [inaudible] and higher [inaudible] within the country may cause [horizontal] conflict in the country.

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Now, how can ICANN make a policy process that the social media operator, if they know that some of the users do not follow the regulations set up by the social media, then the social media who gets the domain name from ICANN has to be able to do something that stops the problem of that because that may cause a lot of [inaudible] to all of us, to human beings. Thank you.

MARK CARVELL: Thanks very much for that, Indonesia. I think that would be going beyond the scope of what we are looking at here in terms of the commitments relating to … Which are relating to ICANN's core activities. But, maybe Niels or Vidushi would like to comment.

VIDUSHI MARDA: I do agree that I think that goes beyond this scope and mandate – definitely of the cross-community working party but also of ICANN because that's moving more into the content aspect of domain names.

But, I would also like to say that you do bring out an interesting point that is the [inaudible] between national and international frameworks and that is something we're very mindful of. That's something that we looked into when we were looking at gTLDs,

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for example, when we look at the economic social and cultural rights aspect of ICANN policies where we looked at IDNs. And I think that is something that is worth researching into, like how do we harmonize existing national frameworks against a broader baseline that ICANN can put in place.

But, as far as your question on social media is concerned, like Mark said, I think that's beyond the scope of our work. Thank you.

MARK CARVELL: Okay, thanks. I don't see anymore hands raised, but Jorge, yes, you wanted briefly to come in now.

JORGE CANCIO: Thank you so much and hello again. Aware of the time and that we have still Theresa here and it's really a very good discussion that we are having, but we also want to have of course the input from ICANN Org. I will be very brief. It's more like a list of wishes, even homework, if I may ask you to help us in this shared homework. This is the following.

First, I appreciate very much the invitation to be at the CCWP meeting later on, but we have a full GAC schedule and I hope that many people from the GAC are able to go. But for me, for instance, I am afraid it's impossible.

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That leads me to the next question. This work, which looks very promising, should definitely be part of a cross-community discussion where we have a free slot for everyone and we can go there and discuss and see the different approaches and to evaluate also how that fits in the way we work. That goes to the next point.

This is, as I see it, [inaudible] for the PDPs of the GNSO, which is very analytical, slow, detailed process where you go step by step according to very defined rules.

But, for instance, for us as GAC, it doesn't really fit because we work in a very different manner. We have some intersessional work, but mostly when we draft our communiques it's in one session in one meeting after having the discussions at that meeting, so we don't have really those faces.

Here, the homework comes. If you may be so kind and help us is that you also consider how this could fit with the work of the advisory committees. I'm thinking mostly of ALAC and the GAC, of course. Considering how we work internally, how we could fit into those human rights impact assessments, bearing in mind that we don't want to duplicate processes, that we don't want to create additional layers of bureaucracy, redundancy, whatever.

For instance, I was just thinking off the cuff. In this proposal for the PDPs, where also there is ongoing work on how to integrate

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GAC inputs, there could be specific mention that whenever a GAC input comes into the different phases of the PDP work, be it before the preliminary report, be it in the draft report, whatever phase, that there is also special or specific consideration of that GAC input. The human rights impact assessment also looks into that.

To cut it short, I think something we would of course need to decide is who does this work? What structures do we need or what staff support? And how we make that the most effective possible, to [inaudible]. We have a structure in the GAC, a different structure in the GNSO, and another one in the ccNSO and so on and so forth.

Thank you very much for this work. It looks very promising. Thank you.

MARK CARVELL: Vidushi, did you want to react very quickly before we turn to Theresa?

VIDUSHI MARDA: Yeah. Just very quickly. Thank you so much. That's very useful. I think, like any model, is as strong as the engagement that it experiences. So, your advice about the GAC being inputted into policy development processes is really useful. But, I would also

invite more engagement with this particular model from the GAC specifically because hat we're doing is trying to raise the bar for participation and cross-community discussion, so it's not like you just open it now for public comments, but also show that you specifically invited specific stakeholders to the development of the model.

So, I think it would be really useful to have some GAC representation at our meeting this afternoon just because it's so refreshing and also constructive to hear from you about this particular model alone. Thank you.

MARK CARVELL: Thank you, Vidushi. I think we've just been mapping out the work of this working group, our GAC working group, in that exchange. We really need to move to Theresa, but Iran, Kavouss, did you want to very briefly please, because we're starting to run out of time. I don't want to constrain our ICANN Org.

KAVOUSS ARASTEH: We have so many PDP. I would say we are fed up with these PDP issues. We don't need to go on this matter so far in depth and so on and so forth, so please allow us to think for other PDPs that are more important as an urgency to deal with our day-to-day work. Thank you.

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MARK CARVELL: Okay. Thanks so much. Okay, let's hear about ICANN Org and what's been happening with you, Theresa. Thank you very much.

THERESA SWINEHART: Sure. This is, I think, a very interesting conversation. There's obviously a lot of dynamics and areas of work. Let me just touch very briefly on two areas that we're working on. I think, as you're aware, we are looking at doing an internal human rights impact assessment and we intend to try to get the work started by the middle of FY18. That work is underway.

We've put out a request for proposals as many of you may have seen. Otherwise, we can obviously circulate the link relating to that.

We've received some proposals, are evaluating those. We'll make the selection and then proceed forward on that.

The scope on this process includes processes and procedures relating to human resources, procurement, events, and various other things. This will be an internal one. The recommendations are going to be prioritized based on the severity of the impact and any [inaudible] remedies around those. So, that's the one

area of work that's underway within ICANN Organization from an internal standpoint.

The other area of work is looking at the discussions around the framework of interpretation that has been discussed and presented by Niels coming out of the subgroup of the cross-community working group work stream 2.

The dialogue there, the recommendations and how those recommendations are presented with the overall cross-community working group work stream 2 package of recommendations which we anticipate to receive by the middle of next year after it goes through the processes of the supporting organizations and advisory committees and is presented to the board.

Upon acceptance by the board and adoption, then obviously ICANN Organization would proceed forward on the implementation there.

The preliminary analysis, though, of the framework of interpretations is that we don't think it will have a significant shift in what we as an organization need to be doing. It strikes the right balance and dialogue against the rest of the core values that exist within the bylaws as mandated, and of course the one thing that we always need to be sure is that ICANN operates within its mission and the core values. So, some of the

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discussions which were underway that potentially could move ICANN needing to act outside its mission, this is a very good checks and balances to ensure that it doesn't do that.

Part of what the board had asked ICANN Organization to do was just to do an assessment on what we thought the impact of the proposed framework of interpretation might have on the organization. So, with that work, we concluded that we think it strikes the right balance overall.

The area where it will likely have a stronger impact, and I think this is where the discussion here had started, is really more around the policy making processes and the policy development making processes overall within the organization.

But, with that, we're looking forward to actually receiving the package, adopting it. If you want to see the analysis that we had done also in relation to the framework of interpretation, we can circulate that. That's a bit more detailed obviously than I touched upon, but with that, that's where we stand.

So, we have an internal impact assessment which is underway. We hope to commence that by the middle of next year. And we are looking forward to receiving the framework of interpretation and implementing that as part of the work and as part of the work of balancing that against the other core values that exist

within the bylaws and of course ensuring that ICANN stays within its mission and mandate overall.

Maybe I can leave it at that and I'm happy to take any questions or contribute to the dialogue. But, in light of time, I just wanted to give that.

MARK CARVELL: Yes. Thank you very much, Theresa, for running through that. I noted a key date would be the commencement of the internal impact assessment middle of next year. Is that the commencement date or the end date? Did I get that wrong?

THERESA SWINEHART: Our anticipation is to get that started by middle of next … So, mid-FY18 for us. It may start earlier. It depends. We have a different team that's working on that and I certainly get the latest update on that. But, that's the latest we hope to start it by.

MARK CARVELL: And that will be a very open, interactive process with regards to the SOs and ACs engaging in that internal impact assessment?

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THERESA SWINEHART: This is an internal … This is for ICANN Organization, not in relation to the supporting organizations or advisory committees. This is [inaudible] for that.

MARK CARVELL: Yeah. I understand that, but just whether the SOs and ACs would contribute to that internal assessment for ICANN Org in any way. Do you not think that's necessary?

THERESA SWINEHART: I [inaudible]. Yeah. But, I can certainly [inaudible].

MARK CARVELL: Okay. I'll open it out to questions. You've got about five minutes. And comments for Theresa? No? Everybody is happy with that presentation? Okay, great.

I'll turn to Jorge to talk a little bit about the GAC and the way forward then, following on from your earlier comments about how the GAC works and so on. Thank you.

JORGE CANCIO: Okay. Thank you so much, Mark. I think we have some homework ourselves to see how we react to the framework of interpretation, how we implement it, assuming that we will approve it as chartering organization later on. Here, really the

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question is how we coordinate our work properly with the CCWP and the other SOs and ACs because I see that although the framework of interpretation and the considerations leave it to each SO and AC to decide how they implement the human rights core values, there is a lot of interaction, a lot of inter-dependencies when we look at the main output of all the community which is the policy development process.

So, I think that they're probably at the co-chairs level and also if there are any volunteers in the working group, we will have to really take up this conversation with you, liaise properly, and also see whether this idea of having a cross-community conversation in the next meeting makes sense and how we prepare that so we really make efforts that the implementation is consistent all over the different SOs and ACs, especially those, for instance, the GAC that interact both with the GNSO of course and the ccNSO very closely when we talk about policy development.

So, I don't know if there are any comments either from the working group members, the audience, or yourself.

MARK CARELL: I see Iran. Anybody else?

KAVOUSS ARASTEH: Yes. Just a piece of information. In work track 3 of the new gTLD, the question was raised that GAC in preparation of its advice to the board need to take into account the human rights and also looking or paying attention to the framework of interpretation of that. I did not follow the remaining part of that and I don't know what happened, but that question was raised in work track 3 of the new gTLD activities. Thank you.

MARK CARVELL: Thanks very much, Kavouss, for bringing that to our attention. That's very helpful, indeed. Appreciate it. Thanks. Any other comments before we close as we're just coming up to time? No? Niels?

NIELS TEN OEVER: As always, the cross-community working party on announcing ICANN's corporate and social responsibility to respect human rights would be more than willing to collaborate with the GAC Working Group on human rights and international law on the continuation of the development of these models, because right now as Vidushi mentioned, this is still a sketch. We're at the process of sketching or, as you will, impressionist painting, and at that moment we can use more brushes and more colors. And especially your expertise as governments in implementation of human rights would be very much appreciated in that process.

MARK CARVELL: Okay. Thanks very much, Niels. We'll certainly take that forward on that basis of close working with the working party. Okay. I don't see anymore hands raised, so I think it's time to express appreciation for our guest presenters, Vidushi, Theresa, Niels. Thanks very much for coming along. I think you deserve a round of applause, especially for keeping to our very tight school so effectively and presenting so comprehensively. Thank you very much.

That's the end of the working group meeting.

Actually, I'm handing over to Olga to chair the Geographical Names Working Group. I don't think actually Thomas is coming to this. I think he's at another meeting. I think Olga is going to start in about two or three minutes. Is that right, Olga?

OLGA CAVALLI: Hello. Good morning, everyone. Buenos dias, bonjour, good morning. We will start in one minute. Okay, we are all set. Thank you for the slides. Oh, there is coffee in the back. That's an interesting thing to know. I didn't get one.

This is the meeting of the GAC working group on [protecting] of geographic names in new rounds of new gTLDs.

We usually organize this meeting in every ICANN meeting and we do our work intersessionally.

For those new in the GAC, the purpose of this working group, for those who are new in this group, was to after the first round of new gTLDs, there were some conflicts because some strings were requested as new TLDs and they were the same as names of subregions, rivers, or other relevant names for communities, for countries, and for some groups of countries.

So, after that process, which was somehow complicated and some of these conflicts are still going on, some GAC members thought that it could be a good idea to have a group that analyzed these issues and tried perhaps to make proposals to the GNSO. The GNSO is the supporting organization that develops the policy for this new gTLD round, which is happening right now.

If possible, which agreement among us and inject some of this input to this PDP working process. And if not, it could be a good space for debate and reflection about these important issues.

Reality showed that we didn't reach agreement because in the GAC we have many divergent opinions about the same thing, which is understandable considering that there is a large group of countries. We are 170-plus countries in this group, so of course there are divergent views.

My feeling of all these years working in this working group that I chair is that we have prepared several documents. We have different discussions. In general, the meetings are well-attended, so it is understandable that it is an important thing for the community in general. We never reach agreement, but I think that perhaps the journey was a destination. Perhaps all this process that we have been going through made us having in mind that it's a complex issue. It's not easy to solve and we should understand that there are different perspectives.

So, in spite of the fact that we didn't reach agreement, we also showed some documents that were open to comments from the community that was two or three years ago that we received many, many comments and we analyzed them.

We have come to this point that the GNSO has opened this new work track 5 about exactly geographic names.

You may recall in the last meeting in South Africa, there was this open meeting for the whole community about geographic names.

The issue is complex. The issue is of importance to the whole ICANN community and the countries and the business constituencies and all the members of this At-Large ecosystem. The work track 5 will focus on this.

I would like to use this time that we have for the working group to reflect on this work track 5 and see how we can get engaged.

Some of us that are active in this working group may want to get engaged in the work track. That could be good. Some members of the GAC proposed me as coleader in this work track. I will go into details about that now. Thank you for that and thank you for trusting me in that role. But, I should not be the only one participating. It could be good. As I said before, the GAC has divergent views about this same issue. It is complex. It implies many different things – intellectual property things, national interest, community interest, [inaudible] interest. It could be good if several GAC members join us in that effort, not only me, and try to bring our perspective to this PDP development process.

I have prepared some slides. After, I would like to reflect with you how we can get engaged to this process. I also prepared a document that I shared with you a while ago. It is in the GAC website. What I did is I went through the transcripts of the two sessions that were organized in Johannesburg about geographic names and I extracted some important concepts that I found in the transcribings. That's the document that I shared with you. I'm not sure if we're going to have time to go through that, but it could be a good reference for you if you want to have a summary of those two sessions that were organized in the last ICANN

meeting. If you have any questions, just wave me. Any comments until now? Questions? No? Okay, thanks.

This work track 5 is one of the different work tracks that the GNSO has in this new gTLD subsequent procedures PDP policy development process. So, in this process that has several parts, one of the parts is new and it's dedicated to analyze the thing about geographic names. It doesn't focus only in geographic names, so I will go into the detail of what is the work track 5 focused in.

Developing process, recommendations regarding the treatment of geographic names at the top level. For those new in the GAC, top level is what goes from the dot to the right, dot-com, dot-info, dot-ar. That's the top level. The work track made recommendations on policy and/or implementations related to. We have to pay attention to this because it's more than the focus of our working group. Two-letter codes at the top level, three-letter codes at the top level, short form and full country and territory names. [CT] state region names, other geographically significant names, other coms to subregions, [inaudible] reverse, the mountains and other names that could be relevant for communities.

So, the scope is quite broad. You may recall that there was a cross-community working group about the use of country and

territory names at the top level. The GAC was one of the participants in the group. I did participate in the group and there is a report about that already finished. Our working group never reached agreement so we have different documents going on. You may recall the last input from our colleagues from Switzerland about having a repository of names that was discussed among us. It was discussed also in the session that that was organized in Johannesburg. How could it be updated, maintained, if it's relevant or not, difficult now, but it was an important input that was discussed at the beginning of the work of this working group in 2013 also. That was another possibility that could exist.

The scope is quite broad. Comments, questions so far? Can we go to the next slide?

The GAC received this information that this work track was going to exist and the reaction was that we should participate, but we should participate under certain conditions. So, these are the conditions that the GAC established to participate in this work track 5.

We are not only the only one SO and AC that established conditions. It was also done by the ccNSO, the Country Code Names Supporting Organization. I will go into that in a moment.

These are the conditions that the GAC established. Accepting the invitation, we said yes. We accepted nominating a co-lead. We should encourage the GAC members to join the work track on an individual basis and the conditions for participation are the following.

The terms of reference of the work track 5 should be agreed by all participants, SOs and ACs, the GAC, the ccNSO, the GNSO, and the ALAC. In the case of the GAC, the GAC chair will consult with the full GAC membership to determine if terms of reference are acceptable.

So, for your information, the terms of reference are not yet established. We will start working on that, the co-leads of the work track 5, in a meeting we will have on Monday. But, I will keep you updated about this development of the terms of reference, which is an important thing for every working group or work track initiative. Comments about the first condition of the GAC? No.

There should be equal participation of all supporting organizations and advisory committees. Yes, Iran, please.

KAVOUSS ARASTEH: Thank you, Olga. [inaudible] also have not in the first part of these sessions previously on the human rights. I think these

conditions that we have should be sent I suggest formally to ccNSO and ALAC and also to any others because it has been sent by Tom, but it should be sent by the chair of the GAC because GNSO Council will consider that shortly and I don't think it is [inaudible] to send it before to all these people to have a look through that and look at that one. So, give a little bit more formal. I discussed that yesterday with chair of the GAC. He said that they will send it. I hope that has been done by now. Thank you.

OLGA CAVALLI: Thank you, Iran. I had a similar comment in the GAC list you may recall, because the GAC proposed my name as a co-lead, but the conditions were not sent. So, my comment to the leadership said – I said, "Okay, fine. We are proposing a co-lead, but we should send the full package. The co-lead plus the conditions." The conditions were sent after that by Tom. So, maybe we can review that with GAC chair. I agree with your comment.

The second condition, I think I read that. There should be equal participation by SOs and ACs, including an assessment of consensus calls with the work track.

Final recommendations, this is an important one. I will go to the ccNSO conditions in a moment. Final recommendations from

the work track should be agreed by all participating SOs and ACs before being submitted to the policy development plenary.

In the case of the GAC, this will require that the GAC adopt a specific position according to its usual procedures, which is we have to discuss it, we have to agree, and have consensus about something. Our rules should remain, and once we have agreed on something, then it should go to the PDP plenary.

Finally, the GAC will continue to exercise its advisory role. So, this involvement in the work track 5 doesn't prevent us for giving advice about the things that we think are relevant for public policy issues.

The GAC will continue to exercise its advisory role to the ICANN board under the bylaws on issues relating to geographic names, and in doing so will take account of but will not be bound by the outcomes of the PDP. So, we remain our advisory role and we are engaged in this work track 5 as another activity. Yes, Iran?

KAVOUSS ARASTEH: Thank you, chair. This last part is more important. We will not be bound for that. I explained yesterday in other occasions the reasons. GAC advice and PDP recommendations have two different avenues. They are not collapsed in each other. They are not crossing each other. We don't want our advice be

subordinated by the PDP in any case. This is something that we have agreed to remain advisory committee. Otherwise, it will change the situation. We don't want to change anything to that and not to have any difficulty, yes, but advice is not consistent with our PDP, therefore we cannot be [inaudible]. This is very important. That is what I said. This condition, in my view, is almost non-negotiable. Thank you.

OLGA CAVALLI: Iran, I fully agree with you and I hope that gets the relevance of the difference, our advisory role and the involvement in this work track which has value because we will have our possibility to give our input. United States, please?

UNIDENTIFIED FEMALE: Thank you. I don't believe I have a substantive concern, but I just wanted to note that what is listed on this slide is actually different from what was sent, so I didn't know if there was actually a difference here or if you were able to identify any differences. I haven't had a chance to go through line by line, but just wanted to note that it is different from what was actually sent. Thank you.

OLGA CAVALLI: Thank you, United States. Maybe I copy, pasted because there were several versions going in the GAC list. Maybe I made a mistake, but we can check that. You see a very important difference we should perhaps review now?

UNIDENTIFIED FEMALE: So far, it looks like the primary concepts are captured, but again I haven't had a chance to actually fully digest and do a line-by-line comparison.

OLGA CAVALLI: Thank you for that. I remember when I prepared the slides going into the different versions and I tried to capture the last one, but maybe I captured the previous one. So, I will review that and send the correct ones or I will check with secretariat about that. I think the general concepts were the same in the different versions, but maybe there were some changes. Other comments about the slide? Yes, [inaudible]?

UNIDENTIFIED MALE: Thank you, and thank you to the US to point that out. Actually, [inaudible] sent an e-mail to among others, Jeff Newman and [inaudible] on this and there was certain amendments among others that we, in certain aspects, used the same wording as the ccNSO, especially pinpointing that the Applicant Guidebook

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should continue the rules [inaudible] common agreement on [inaudible] rules. Thank you.

OLGA CAVALLI: Thanks to you, and thank you very much for pointing that out. If Tom circulated them, we can have them in mind and maybe I can update the slides when they are updated into the website.

I will go now to the ccNSO conditions because I think – yes, Iran, go ahead.

KAVOUSS ARASTEH: Thank you, chair. I would like to share with you that our understanding is Applicant Guidebook is a guidebook. That's all. It's not rules. It's not a constitution. It's not a convention. It's a guidebook, guiding the people. That's all. So, we should not put more than what was designed. Thank you.

OLGA CAVALLI: Thanks for the clarification. For those new in the GAC, the Applicant Guidebook was the rules that applied for the first round of new gTLDs that was released in 2012 and was finished in 2013. So, this is AGB. When you see AGB in the documents, that's Applicant Guidebook.

Let me show you the ccNSO conditions. There's a reference about the Applicant Guidebook there. Can we go to the next slide? Thank you very much.

Designated colleague is Annabeth Lang from Norway. They will participate under these conditions. The group to operate in a similar way as the cross-community working group. Participation of SOs and ACs need to support non-objective recommendations before they become part of GNSO consensus policy. This is similar to our condition.

AGB, Applicant Guidebook, remains the same if there is no consensus about changes in rules and the letter of the ccNSO with these conditions can be found in that link.

There was some discussion about this in the two open sessions in Johannesburg about the Applicant Guidebook of changing, if it was necessary to change it or not. This is an important condition that the ccNSO established, that if there is no agreement then the rules that are already agreed years before should remain. Any comments, questions? Yes, Iran?

KAVOUSS ARASTEH: Thank you, chair. Perhaps in the meeting, they would have a new round or subsequent – the co-chair of [inaudible] or GAC chair may kindly remind them to inform us of the discussion on

this change of the Applicant Guidebook because there are some discussions at the level of that group, but I don't want to say something before being checked by those people. So, they need to inform us the situation and discussions and the level of discussions. Thank you.

OLGA CAVALLI: Thank you, Iran. Yes, I agree there are some discussions. I am not participating. I am just listening to the list. I am an observer to this different work track, and yes we can ask that question if you remind me or you can do that. Any other comments? Next slide, please. Thank you.

The work track 5, the call for volunteers is open now. We prepared – the five co-leads prepared the text for the call for volunteers. We have been meeting in conference calls for the last two weeks. So, the co-leads are already appointed – ALAC, ccNSO, GAC, and GNSO – are selected. ALAC is Christopher Wilkinson. ccNSO is Annabeth Lang. GAC is myself. GNSO is … I will remember the name in a moment. Sorry.

The call for volunteers is published and open until 20 of November. If you want to participate, you go into that link and there is a form that you have to fill.

The terms of reference, as I said, are going to be developed in the next days. We will start with a meeting tomorrow, on Monday, at 2:00 PM. There will be a work track 5 working session if you want to join the first of November in the morning 8:30 to 12:00 to start the work, about especially this terms of reference. Comments, questions? None. So, let's go to the next slide, please.

How can we get involved? There are two ways to volunteer. This is very similar to other working groups or cross-community working groups. You can be a member or you can just be an observer. The level of involvement is different. If you are a member, you are expected to participate, to make contributions, to give opinions about what is going on and participate actively. This is copy/pasted from the rules of the engagement. Anyone interested can volunteer to join the work track as a member, regardless of whether they are members of the ICANN community. It's open to everyone.

Member are expected to actively contribute to mailing lists, conversations, as well as meetings [inaudible] work track will meet on a weekly basis. This was a question that was made by the colleague from Denmark yesterday. How often will the work track meet? I make a consultation to them. That's not defined so far. It's a very good question if you want to get engaged because

it will take your time. If you are committed to participate, you need to organize your agenda.

It says in the call for volunteers that it's weekly, but then that's not established. Maybe biweekly. But, it should have a frequency that could be biweekly or perhaps at the end of the process, weekly. So, have that in mind if you want to engage actively. It would be a teleconference. I assume that during the ICANN meetings, there will be face-to-face activity.

Members are expected to provide essential input to the process or through written input. Members will be required to provide a statement of interest. If you're not familiar with that, you can go to that link. So, those participating in the GNSO processes, you have to fulfill a statement of interest. It's about which is your constituency, which are your interests, what you represent in this community.

Then, there is a list of observers. You can be an observer. You don't have that much time, but you're interested in the issue, you can be an observer. You will receive the outcomes of the list. You will receive the e-mails. For those that are merely interested in monitoring the work track conversations, there is a possibility to sign up as mailing list observer, which offers read-only access to the mailing list. This is important to have in mind. If you're an observer, you cannot give input to the group, but you can

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change from observer to member. That's not so difficult. You have to communicate that to the GNSO secretariat. But, have in mind that if you're an observer and you want to send an input, they will say you're an observer and you cannot do that.

At any point in time, a mailing list observer can join the work track as a member simply by informing the GNSO secretariat. So, have that in mind. And if you want to sign up for being a member or an observer, sign the form in that link or you can find the call for volunteers on the ICANN website.

One comment that I agree with, a proposal made by our colleague, Jorge Cancio from Switzerland that the GAC appointed me as co-lead in this work track is that we should work as a group in a small team in this work track 5.

I think this is a very important comment because we have different views of the same issue and different perspectives. If the GAC wants to participate in a more broad and complete way, we should be all together working in the work track, so our views are reflected in the input that we can give to the work track 5 and in the end, the PDP.

So, that's my questions to you in this session. Perhaps we can think about how we can participate in the work track 5. How can we organize? And maybe this working group can make a

proposal to the GAC on how to engage as a group or more than one co-lead, which is myself, into this work track.

This is what I wanted to discuss with you now. We have some time. I received some expression of interest in the working group list and in the GAC list. [inaudible] from Georgia, Alexander from Ukraine, and someone else sent me a message. Jesus from Venezuela also expressed interest. So, I would like to open the floor now to you and let's go to the last slide. I think that's all I prepared for slides.

Co-lead is myself appointed by you. Thank you for trusting in me. Other GAC members ideally working together in a way that we can represent different views from the GAC in this work track. I open the floor for ideas. Iran, please.

KAVOUSS ARASTEH: Thank you, chair. There is one point that I raised in other occasions that's important here. During the human rights, I discussed with the colleagues that why not, that you have given your viewpoint in the public comment, why not you express any view during the meeting? He said that I'm observer. I don't think that bureaucracy should kill the enrichment. If somebody is observer that attending virtually the meeting and has a view, the observer should not prevent him to express his views at the meeting. So, I think we should try to find a way not to put such

barrier for the person or such problems, that he or she has spent some time, comes to a virtual meeting as an observer. There is some discussions. He has an interest. He or should has interest or importance, and to be allowed to express their views but not to be [inaudible] that you are observer, you cannot say anything at the meeting.

I think you should think to find a way for them [inaudible] issue of [inaudible] like geographic names. Allow the observer, although he or she does not subscribe to the meeting any document, but at the virtual meeting be allowed to speak. That should not be a problem. I think you need to discuss it at the level of the group when you get together to have the terms of reference and try to do that, respond to that question. Thank you.

OLGA CAVALLI: Thank you, Iran. Your comment is relevant. Let me tell you my experience in that jurisdiction sub working team on accountability working group. I was an observer and I wanted to make a comment. I was told that I couldn't, but I could quickly change my involvement from observer to participant and I did it very quickly. That point is well taken, but also it's not so difficult. There are rules already established and maybe we cannot change them, but we have to have in mind that those observers

can change their status into members. It's not very difficult. Brazil?

BENEDICTO FILHO: Good morning, colleagues, and thank you Olga for your presentation and thank you for volunteering to participate in this working group, in this track. This is an issue I think of utmost importance for all of us. We would like to also be able to participate. Unfortunately, in the light of so many streams of work within ICANN, I feel that might not be possible. But, we trust. We have all the trust that you will be able to represent the whole group.

One comment I'd like to make, a general comment. If we recall the cross-community session we had in Johannesburg, it was quite clear that there was not only on the part of governments, but also in regard to other stakeholders, other parts of the community, there is not a consensus or a clear recognition of the needs to engage in these kinds of exercises of now. You may recall there were many expressions of concern in regard of the needs, of the timing, of the relevance, of engaging this exercise at this point in time, in the light of so many areas of work that are being undertaken within ICANN.

However, it was also very clear that on the part of the proponents of GNSO, there is a very clear interest of changing

the rules that were applied in the first round of delegation of gTLDs. In that light, I'd like to comment and to remind all of us that those rules, in a way, reflect a kind of delicate balance of interests of many parts of the community, including governments and anything that will imply a change in those rules should be reflected upon, should be subject to [inaudible] scrutiny.

Of course, we should not be closed to changes if those changes will improve and will allow us to have in place better rules. Of course, I think everything is subject to improvement.

But, to my recollection, I think that it was made very clear on the part of the proponents that the main motivation was a desire on the part of the generic domain names industry to have more flexibility, to have more liberty. This is a thing that is of concern to us, because again, we think it's a balance. I think the community has many interests and I like to see and to consider that governments are also part of the community in this multi-stakeholder pact.

So, I think it's fair that an interest constituency group should be duly addressed. I don't see any difficulty in doing that, but this should not be let's say the only motivation, the only guiding line that should stir us.

Again, we think it's something that we should participate. The conditions that were laid for GAC participation I think are appropriate and we look forward for anything that will come of the group to be of a very balanced nature, not be guided by one interest or very clear interest, but to address the concerns of all of us. Again, reminded that not only governments but other parts of the community also express their concerns in regard of the timing, of the need.

I recall many people saying if something is not broken, what is there to fix? So, there are some underlying questions to be considered. Again, we should not refrain from participating, but in a very [sober] way looking for that kind of balance that was achieved I think in the first version of the Applicant Guidebook. Thank you.

OLGA CAVALLI: Thank you, Benedicto. I agree with your concept. I had the same feeling that having this process would be challenging for all the community. At the same time, I agree with you that we have to participate. There is a door open that we have to profit from it and give our input.

As I said before, input from the GAC could be diverse. We are a large group with diverse interests, so we should work together. I

promise I'll do my best to address all the outcomes of the process to the full GAC so I have your input about that.

It's important to have in mind that we will remain our advisory role, that our participation in this process and whichever outcome it comes out of it, it won't prevent us to have our advisory role. So, we have always our avenue to give our advice to the board, whichever the outcome is. But, we have that possibility.

Any other comments? Pakistan.

UNIDENTIFIED MALE: Thank you, Olga, for detailed presentation on the issue of geographic naming, gTLD official round. I think it is appreciated that the concerned [inaudible] in ICANN agreed to further work on the development of practical options that are aimed at improving protection of geographic names during the next round of gTLDs.

I think it's the efforts of the GAC Working Group and [inaudible] you work hard the last four to five meetings. I hope that the WT5 will work hard in consultation with the [registry] stakeholder and provide [inaudible] issue.

I suggest that GAC make, create an internal working group and our point of contact may have [inaudible] WT5 and he or she

make our point of contact update the GAC via e-mail and face-to-face meetings on a regular basis. Thank you very much.

OLGA CAVALLI: Thank you very much, Pakistan, for your comments. Other comments? United States?

UNIDENTIFIED FEMALE: Thank you. I wanted to first thank, actually, the GNSO PDP Working Group for making this actually an option available to us. This is a fairly novel approach. It's an approach that I don't think has ever been utilized before and I believe it really fully recognizes, as noted before, particularly by my Brazilian colleague that there are lot of interests here. I think we owe them a big thank you for recognizing that and giving us this opportunity.

With that, I'd also like to thank you, Olga, for recognizing that there are different perspectives within the GAC. That being said, the US does hope to participate in this process. We haven't actually an individual in mind yet, but we do hope to be active participants in this and I hope others will be as well. Thank you.

OLGA CAVALLI: Thanks to you, United States. I agree and it would be good that you join the efforts because we have different opinions and we have to give our input. Iran?

KAVOUSS ARASTEH: Thank you, chair. We, too, have already subscribed to this group, sent out names there to participate actively as a member. But, I think this opportunity I would like to fully support what our colleague from Brazil mentioned. They have mentioned that in e-mail many weeks ago and I have supported that in several e-mails, but unfortunately was not taken into account in the conditions. Nevertheless, it is on the table and it is important for us. We don't have such availability in the GNSO to change everything at the time and so on and so forth. Our literature and culture is different at the GNSO Council. So, we have government culture and we have to retain that. Thank you.

OLGA CAVALLI: Thanks, Iran. Yes, cultures and also the dynamics of the SOs and ACs are totally different because the groups are different in size in the way that they make decisions. They vote, we don't vote. We have the consensus. But, I agree with our colleague from the United States that this is a brand new way of participating and I think there is value in it and the GAC has to participate actively. Other comments? Oleksander from Ukraine?

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OLEKSANDR TSARUK: Hello, Olga. Thank you for an awesome job as chair of this working group. I might be mistaken, but in agenda we have the name of this working group, a geographic names working group. The previous name was a little bit longer. It was the shorter scope of its operation. If you are working on geographic names in general, we need to update our terms of reference because it's a wider scope of the subject of the working group. We should think about this.

The second issue, it is very important to be involved in the policy development project process as it is now, but we should also think how not to be involved, how to monitor this project, develop our own feedback and probably produce some pieces of advice for [inaudible] as advisory.

The second one, we might also discuss, maybe not today, in a call, the working plan for the next year of our working group. So, I would hear your feedback on this. Thank you.

OLGA CAVALLI: Thank you, Ukraine. You read my mind because that was the next question I was going to ask you. Thank you for that. It's something that I asked in the working group list to you, so thank you for bringing that up – which is the role of our working group.

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As you rightly mentioned, the scope of our working group is narrow compared with the work track 5. As I read, work track 5 goes to two-letter codes, three-letter codes, and country names and other things, and geographic names. Our scope is in the last point.

I wanted to open the floor to you to see and review which could be the role of our working group, if we can perhaps review what's going on in the work track in this space that we have in the GAC as a working group, if we can amend the terms of reference, if we can let them as they are. Comments are welcome from your side.

I think that the working group could be one space for following up the work track 5. I understand that some of you that are actively participating in the working group could engage also in this work track 5 activity, so maybe one possibility could be to amend the terms of reference of the group and have it as a space of following up what happens in the work track.

Others could be just keep on reviewing the geographic issue as it is, as a narrow scope. I myself and the others working in the work track 5 communicating with the working myself. Iran, thank you for commenting.

KAVOUSS ARASTEH: Thank you, chair. Whatever term of reference for your working group here would be, the element you mentioned is to briefing the GAC from what has happened is very important because [inaudible] situation mentioned yesterday – resources, time, and expertise might not be possible that all GAC participate in that group of track five. Nevertheless, [inaudible] come here physically or if there is any possibility [inaudible] to provide a brief situation, but not the whole history, not the reading, because reading is there. The transcript is there. But, also a brief for the people to be aware, to enable them. If they have any comment, maybe in one way or another, communicate and convey that comment to the track 5. So, that is important. This, I would say, reporting or whatever you want to call them – briefing, reporting – that should be added to the terms of reference. Thank you.

OLGA CAVALLI: Thanks to you. That could be one role of the working group. Other comments? Should we keep the working group? Yes, okay. I see nodding. Okay. That's important. Oleksandr, yes? Ukraine?

OLEKSANDR TSARUK: I think we should not to link any operation to the working group to any existing processes, like track 5 and tomorrow there can be track 55. So, we need, in general, track all activities in the

community of ICANN regarding their scope and the subject of our working group. So, we should not limit us. We should just define the scope and the subject. Thank you.

OLGA CAVALLI: Thank you, Ukraine? Other comments. Jorge, we'll put you on the spot. Sorry for doing this without previous notice. You proposed in the GAC work list that it could be good for not only to have a co-lead participating in the work track, but perhaps we could organize among ourselves a smaller group. Do you have maybe more comments about that proposal?

JORGE CANCIO: Thank you, Olga. Fortunately, I got the question in time while I was writing a different e-mail. Actually, this is something that was taken up by the GAC plenary, by the GAC leadership, and in the conditions communicated by the GAC to the GNSO PDP chairs. It is said that GAC will, in accordance with its own procedures, consider nomination of members to the work track. In addition, encourage all GAC members to participate on an individual basis.

So, if I understand this correctly, but of course also the GAC leadership should perhaps say something about this. At some point of time, the GAC as a whole will consider this nomination. I

hope this is done during this meeting here in Abu Dhabi. In addition, of course, everyone is free to join as individual member, be it as an observer or be it as a working group member.

Also, going back to the discussions we had yesterday on lowering barriers and on participation on PDPs and so on and so forth, I think that the nomination by the GAC as a whole of four or five people that could join efforts with you would give a bit of structure to this participation and of course if the plenary makes such a nomination, I think that consistent also with the experience we have had in the CCWG Accountability, those four or five people or so will feel I would say the responsibility and also feel the ownership of the task of periodically reporting back to the GAC and serving as a sort of proxy of the different positions we have in the GAC for the PDP Working Group.

I hope the leadership of the GAC takes this up during this meeting and we can finish the Abu Dhabi sessions with that full group of GAC members having been designated. Thank you.

OLGA CAVALLI: Thank you very much, Jorge. Reactions to Jorge's proposal, which I think it's a very good one. Are we in agreement with it? Objections to it, to proposing the GAC leadership that we could designate a group of GAC members, four or five – I think it's a

good number – to join me in this effort? I see no major objections, so I will communicate this to the leadership team and see if we can during Abu Dhabi talk about this in some plenary session and perhaps we can define who these four or five GAC members that of course would like to join this effort could be designated, if there are no objections, and I see none.

We have five minutes left. Any other comments? As I said, there is a document that I shared with the working group and I think it's in the GAC website. I extracted some of the most important concepts I found in the transcribings of those two geographic names sessions that were organized by the GNSO and were open to the community. Maybe you can have that as a reference for the work in this work track 5 in the future.

I will talk with the leadership team about – yes, Iran, your comment?

KAVOUSS ARASTEH: Thank you, chair. Just a question came to my mind. How you as a designated chair or co-chair of that group and other people could communicate the important point of that to the GAC member, to the GAC list or you create a new arrangement because maybe people would not look at the GAC list very often, some people. Some may. I want just to know how would the organizing [inaudible] because of the very vast arrangement for

two-character, three-character names and so on and so forth. There seems to be a [inaudible] GAC member be informed in a way that trying to attract the attention if they have anything to communicate, to convey to the participant or members of that group. So, I'm just asking the question how you see that. No more GAC list or you create a new arrangement for that under the track 5 activities? Thank you.

OLGA CAVALLI: That's a very good question. I hope I have the answer. The GAC list is, for some of us, sometimes difficult to follow all the different e-mails that come with different issues, totally different. But, that's my personal opinion. I haven't talked about this with other colleagues. I think we should profit more of our new GAC website. In my opinion, we should use it as a repository of information, so all GAC members should know that reports, new information, everything is in the GAC website. Of course, it could have a specific part for work track 5. It could have a specific part for human rights, two-letter codes. All the issues that we are working with should be a dynamic repository of information.

So, sometimes I spend time looking for e-mails that I don't find because there are many and there are versions. What happened to me with the conditions, I looked at the versions and was not

sure which was the last e-mail. We also work and we have other e-mails in our computer.

So, I think that using the new GAC website which is quite nice and well-organized as a repository could be a way to put all the information in one place. That's my idea. We can exchange perhaps other ideas that other colleagues have, but your point is relevant. Sometimes it's confusing and it's difficult to find the information and we get lost among the e-mails. I don't know if the GAC e-mail list is the best way to exchange that, but that's my opinion. I welcome other comments. Can you give us your name, please?

LANCE HINDS: Sure. Lance Hinds from Guyana. While I think we appreciate that the GAC will not be bound by the outcomes of the PDP, but certainly in view of the potential work that will be done in work track 5, hopefully those outcomes will be used as part of our processes in terms of the overall advice that we are giving as a GAC. There's a working group within the GAC itself, maybe a responsibility that they can take on is that those outcomes could be distilled and also serve as guidance for the overall GAC advice that we would like to give. Thank you, chair.

OLGA CAVALLI:	Okay. That's a good idea. So, that could be input for future GAC advice, if necessary. Comments about how can we manage the flow of information, which is challenging for all the different processes that we are handling?

I think we should use more the GAC website. That's something that we have to profit from. It's new. It's well-organized. It's easy to access. Of course, you need credentials. For those of you that don't have the password and credentials to access it, please tell Julia or [Gutan] to give them to you.

Okay, I think we have reached the hour. Any other comments? Okay, thank you very much for your attention. Looking forward to working with you. I will communicate to the GAC leadership that we could be good at a plenary to define who the four or five GAC members that could join this effort should be [inaudible] designated. So, if you want to be one of them, let me and Jorge and others know. Jorge, put you on the spot again. Sorry for that. Have a good rest of the day. Thank you very much for your attention.

[END OF TRANSCRIPTION]