LOS ANGELES – Joint Meeting of the GAC & ICANN Board
Tuesday, October 14, 2014 – 17:00 to 18:00 PDT
ICANN – Los Angeles, USA

CHAIR DRYDEN: Good afternoon, everyone. If you could take your seats, please.

Okay. I would like us to get started.

We just have an hour for our exchange again today. We have a full agenda, but one that I think we can get through within the hour.

Before we get started in discussing the topics that I'm aware of that the GAC would like to raise, there is a bit of business in the GAC that I can report on that I think is of interest to you all.

This morning we ran the election process to elect the next chair of this committee, and I should note that we are still in the elections process in that we do not yet have the results from the elections for the vice chairs. So we have completed the portion for the chair, and then tomorrow morning, we will know who our three vice chairs are, and then we'll be able to report formally on who the next leadership will be comprised of. And we will be moving into a transition period now with our current leadership and the incoming leadership working together to ensure that everything goes as smoothly as possible.

So I am pleased to report to you that the next chair of the GAC will be Mr. Thomas Schneider from Switzerland.

[Applause]

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Okay. All right. So with that, I will take us through the list of topics that we have.

The ones that appear earlier on in the list are the ones where there may be a few more issues or a bit more depth to what we want to discuss with you today. So we did want to talk about the new gTLD program reviews and the work plan and such that was released. And in relation to new gTLDs as well, we wanted to raise the issue of safeguards implementation and bring to your attention some particular things there that continue to be of concern to colleagues in the GAC.

Then we would like to discuss WHOIS. And this is, in some sense, really a short point, but it's one of some priority for us, so we would like to raise that early on in the discussions, just to ensure that the GAC's concerns are being understood in relation to all the efforts related to WHOIS.

And then third, we wanted to talk about ICANN accountability and governance.

We also wanted to touch very briefly on IGOs and just confirm how the GAC will be proceeding to contribute to the effort to find a solution to protecting IGOs. We'd also like to ask for an update on Red Cross and Red Crescent. I understand that there is a bit of news there to report from the Board or from the NGPC.

We would like to talk about workload in the community and give you some examples of where this is challenging to us here in the GAC.

In addition to that, we would like -- some of our members would like to raise concerns specific to them. So in the all of these issues have been

really fully discussed or even initially discussed in the GAC, so I will try to make clear for you where we have individual GAC members wanting to use our time today to raise something that is of particular concern to them. And so that list includes things like the .GAY and the recent decision in relation to that particular top-level domain. And also on .SPA, we have some questions and clarifications that Belgium would like to seek there.

Other issues that are of interest to the GAC, one concerns a proposal about how law enforcement contributes to the work, how law enforcement organizes itself here at ICANN. Also, we have a question for you about external support to the GAC, secretariat support to the GAC. And I think that hits the key points that we wanted to raise today.

So if I might, I can start to take us through those issues, or, Steve, is there anything would you like to say?

STEVE CROCKER: Thank you, Heather. And congratulations to Thomas Schneider.

And I'll note that given where we are in the two tracks of the IANA stewardship transition and accountability that, among many other things, that we're in sort of a high period, entering even a higher period over the next few months. So perhaps with the -- yourself in a transition period, you mentioned. I hope that means you've got twice as much manpower available for leadership instead of less, because I think we'll be looking for heavy engagement with all of you.

On each of these issues, I think we're happy to engage. It's a long list, so we should just dive in. Pick one, and -- I can't even remember that many to start with, so take us through it.

CHAIR DRYDEN: Thank you, Steve.

In relation to the transition, there will be 66% more person power being brought to that effort.

Okay. All right. So the first item we had identified concerns the new gTLD program and the reviews that are anticipated there, as well as the timing of a future round.

We had a brief from staff at the beginning of our meetings this week, and, really, there were a range of concerns that were raised by colleagues in the GAC and a high degree of consistency among the kinds of things that they were raising.

So it's safe to say that this is a very serious concern for the GAC. And in terms of how you intend to proceed and contemplate initiating a new round, well, there's clearly more needed in terms of coming to an understanding with you and I think within the community as well based on the open session that was held yesterday.

So in terms of specific concerns that we have, well, I think you've probably heard some of them with the timing and the ability to complete all of the reviews and take into account some of the issues and problems that came out of that, whether it's community-type applications, and so forth.

So I might just ask colleagues in the room to perhaps contribute a perspective on this, if they wish to at this point. Otherwise, I'd be interested in hearing how the Board is looking at this.

Denmark, did you -- Please, go ahead.

DENMARK: Yes, thank you very much, Madam Chair. And thank you to the Board for coming here and listening to us.

As you, Steve, just mentioned, we have a very, very busy agenda, and we are in the middle of very important times with many ongoing process for the IANA transition, enhancing ICANN's accountability, and WHOIS. All of them have many important public-policy aspects to them.

So with regard to timing of issuing the draft work plan and with reviews and assessments of this round, I mean, we see -- we're a bit concerned or very concerned about the timing issue here.

Also, we are still talking with you and with the community about the current gTLD round, and GAC advice is still being processed. And so with regard to the estimated timeline which is proposed in the document, I mean, as we see it, it seems like the evaluations are going to take place at the same time as the GNSO policy development process will be on -- yeah, will be going on. So I think, yeah, there is an issue here as well.

Thank you very much.

CHAIR DRYDEN: Thank you, Denmark.

                       Would colleagues from the Board like to respond on this point?

STEVE CROCKER: I think the best response would be to ask Akram for the specifics on the timing. I mean, it's a managed process that is supposed to take in all the different pieces of it. So perhaps you can respond on that specific issue of the GNSO review in parallel with the Affirmation of Commitments review.

AKRAM ATALLAH: Sure. Thank you, Steve.

                       It's important to note that the Affirmation of Commitment review asks or mandates that we need, as implementers of the program, to do a review a year after the program has launched.

                       We have so far delegated over 400 TLDs. We believe by the end of the year, we could say that we've launched the program. And then a year later, we should do our review.

                       So that's what the plan calls for. It's what was mandated in the AoC.

                       And what the review team is doing today is doing a baseline of two studies. One is economic study and one is a survey. One to address the competition, and the other one to address the perception of how -- the awareness of the program.

                       So the baseline will happen toward the end of this calendar year or the beginning of next year, and a year later we will do the evaluation again

so that the review team has the metrics that they could use to do their review.

And during the next year, it will be the setting up of the review team so that by the end of 2015, we have a team that can actually do the review.

So I don't think that we're starting the review today. It is basically doing the baseline so that we can do it a year later and have the metrics. That's on the AoC review.

The GNSO at any point in time can decide to review the program and decide on policy. I think that there are things that GNSO could decide to -- they see that require the review of the policy or they could decide not to review them.   So that's up to the GNSO.   And we're trying to coordinate everything so that we can -- the right hand knows what the left hand is doing, and that's what we posted and did the session on.

Thank you.

STEVE CROCKER: So thank you.

So, Denmark, is that an answer or is there more that needs to be -- you know, probe into that if that doesn't get at the issues that are on your mind.

DENMARK: Well, it was more sort of the principle or the fact that the timeline shows that a policy development process is initiated at the same time --

for the next round at the same time as -- will be going on at the same time as an evaluation is taking place for the round that we are in now and that we are still sort of working on.

Thank you very much.

CHAIR DRYDEN: Thank you, Denmark.

Chris Disspain, did you want to respond?

CHRIS DISSPAIN: Thanks, Heather. Yes, but I think maybe what's not clear is that that's just an indicative time frame. And I think it's showing the earliest possible way that these things could be done, but there's certainly no intention that that would necessarily be -- would be the case.

Clearly, any -- well, in my personal view, anyway, any policy review, policy development process to do policy for a next round would have to take into account the reviews of what happened in this round. Otherwise, it doesn't make any sense.

And I think the dates -- The dates that you've talked about, Akram, on starting the reviews are dates that we're saying we're going to do, but I think everything else is just indicative as the earliest possible time it could be is this, as opposed to it will be this.

Is that right?

AKRAM ATALLAH: Yes. And there was no dates on the timeline that talked about the -- when we will start -- when we will start the policy development process on starting the next round. So that was not discussed.

CHAIR DRYDEN: Thank you. So I think we have quite a fundamental concern on the GAC side about the interrelationships of those different activities and the policy development process being initiated.

Is there anything else that colleagues would like to add on this point? Otherwise, I will move to safeguards implementation.

U.K., please.

UNITED KINGDOM: Yes, thank you, Chair. I guess one question that arises is at what point will the entire community be able to take account of what kind of round it will be? I mean, there could be different options for the conduct of the round. It might be a limited round or it to be a geographically based round to take into account perhaps deficiencies in the first fully open round whereby developing country stakeholders really were not successfully engaged.

So a question at what stage do you expect as the board to be able to say, community, let's decide what kind of round we have. Is that entirely down to the GNSO? Or are there wider consultations envisaged for that? Some clarity on that would be appreciated. Thank you.

STEVE CROCKER: I can't imagine not listening to everybody. I don't know how to be more specific than that. But I think you touched on quickly, by implication, a variety of different suggestions. And I noted that in the SO/AC sort of roundtable that we had last night, a number of different ideas that did not all fit together into one coherent picture. I mean, there were some contrary and some piecemeal things, all of which were very thoughtful and well-intentioned and earnest from the positions they are talking about. So, for example, one that stuck in my mind is a limited round that is a catch-up round for developing countries, I think, if I remember right. So that's an idea. And then there were a series of other ideas. So I think there has to be a kind of broad sorting out of that. Akram.

AKRAM ATALLAH: So I want to make sure that we're talking about something concrete. We did not actually start looking at what rounds we're going to do and not even when we're going to do it. So that discussion has not started. But, if there is a specific demand that you are seeing from developing countries that would like to participate in that, maybe that could inform our thinking and maybe start looking at that as an option. But, right now, we have not -- I have not -- I'm not aware of any demand from developing countries that have said we've missed this round. What can we do about the next round? So we see a lot of -- we hear a lot of noise from brands. But we don't hear noise from developing countries right now. So thank you.

CHAIR DRYDEN: Thank you, Akram.

Bruce Tonkin, you had a comment.

BRUCE TONKIN: Yeah, just a couple of comments. One, we tried a catch-up round in 2004. And there was a lot of criticism on how that worked. I think a lot of lessons to be learned from history, not just the most recent history but going back over 10 years with that particular idea.

In terms of the suggestion from the U.K. or question about the GNSO, couple things the GNSO is doing. One thing it's actually trying to collect a set of issues. So there's a person, Bret Fausett, that's running a working group, while it's all fresh in people's mind, trying to write down as many of the issues that people have identified so far. So, if any individual members of the GAC or the GAC want to provide input into, while it's fresh in your mind, capturing the topics, that's one thing. And then the other thing the GNSO is trying to do -- and I know they've appointed a liaison to the GAC -- is work with the GAC to find ways to engage the GAC as early as possible in any future policy development.

So, definitely, the GNSO wants to be as inclusive as possible. It does work very closely with ALAC today. But I think you know, both SSAC, RSSAC and -- sorry -- the Security and Stability Committee, the Root Server Committee, and the Government Advisory Committee have all subsequently got involved in providing input on gTLDs. And I think the GNSO is trying to capture input from all of these advisory groups in their process as early as possible. And I know there's an ongoing work item there on how to work with the GAC on how best to cooperate and engage the GAC on any future policy development work.

CHAIR DRYDEN: Thank you, Bruce. And I think, just to come back to the U.K.'s point, I think it's an important one that, if you're running a policy development process, I don't know to what extent you're looking at objectives. I think for the GAC, when the decision was taken a number of years ago at the Paris meeting to embark on this process, I think it was just assumed that this was a good thing to do. And the GAC and maybe others felt they were just on the receiving end of the decision.

And that's really quite different from agreeing as a community to what it is you want to accomplish with a particular round and whether it's, in fact, focused on particular concerns that we've heard. And in the GAC we have heard on a consistent basis in recent years about the participation of developing countries in that process.

So I hope that message comes through enormously clearly from the GAC. Okay.

So, if we can move now then to the issue of safeguard advice and implementation issues. Well, we've been raising this with the board as we have sought further clarity about how those safeguards are being implemented at ICANN. And there are a number of issues that still are of concern to us.

In order to address that and work out how to proceed, we have formed a small group on the margins of this meeting to get further into the details of it and consider what to do next with it. We are challenged a bit in that we know that some of our advice pertains to strings and to operators now that have signed contracts and so on. So we have to

acknowledge that the program is already -- has already reached that stage. At the same time, there are implementation issues that really are of concern on an ongoing basis. So we find ourselves in the situation of not knowing quite exactly what is the best way to contend with this.

So I will look to colleagues particularly engaged in that work to give you an idea of some of the specific issues that are there knowing we can't get into all the details in an exchange like this. But it's important to signal to you what are the nature of those concerns. European Commission, please.

EUROPEAN COMMISSION: Thank you so much. And I will be short. Don't worry.

Just briefly -- no, I'm short. No, I'm not that short. I'm brief. Sorry for my English.

No. Just, I mean, just referring back to, of course, that we have posed a number of questions previously both in Beijing in the Singapore and in the London communiques on the implementations of the safeguards. And we got an answer. And, of course, we thank you for the answer from the 2nd of September.

But I think, whilst some of the answers are good, some of the answers we are satisfied with, but many of them are still quite elusive and I think also quite insufficient in answering our questions. I think we have a big concern now. Because we see that there is a number of strings in category one and category two, which is now being implemented and where we don't feel that there is sufficient safeguards or that the -- that the NGPC and ICANN is doing all its efforts to actually properly

implement these safeguards. So we would like possibly to come back with a number of questions in this communique to you.

I think these -- I will just make the headlines of it. I think there's an issue still about the implementation of the WHOIS-related safeguards. We think that there is still questions around the answers from the latter on the security risks. We have a little bit of a problem with the public interest commitment dispute resolution process as part of the -- of the PIC exercise as such.

It's complicated. It's -- it is -- it might be costly. And it might not be sufficiently rapid either to respond to urgent cases.

We also believe that the verification of validation of credentials of category one and two registrants might be problematic still. And it is -- it is an issue for us how this is being handled in the answer.

So these are just a few issues, I think. And I'm just, of course, keeping myself relatively brief. Thank you very much.

CHAIR DRYDEN: Thank you, European Commission.

United States.

UNITED STATES: Thank you, Madam Chair, and thank you to my colleague from the EU Commission. You have covered pretty much all of our bases. I have just one small issue to raise, of course. It pertains to the category two advice. And just a plea, again, from the GAC that to sort of point out to

you -- and it perhaps wasn't so obvious from our previous advice. We're going to try to be clearer this time.

But it strikes us that, in failing to complement the transparency requirement with a requirement to be non-discriminatory, the situation now is such that a registrant who believes they have been discriminated against by registration policies in a category two string would have no remedy.

There's no redress for them. So, unless the PIC spec is actually amended to insert the court "non-discriminatory," then the registrant who feels harmed by a discriminatory registration policy would have no mechanism by which to seek redress. Thank you.

CHAIR DRYDEN: Thank you, United States.

Have we covered all of the main issues that are remaining there? Are there any others that colleagues would like to highlight? Spain?

SPAIN: Yeah. We also have concerns with the proposed way forward in regards to WHOIS accuracy verification, whether it should stop at syntactic verification or should go farther to identity verification. We are not quite happy with the answer we've got. Thank you.

CHAIR DRYDEN: Thank you, Spain. Would the board like to respond or comment on that? Cherine. Cherine Chalaby.

CHERINE CHALABY: Thank you, Heather.   I think answering details now would not be helpful. But it would be good to note on a matter of timing when will we receive GAC advice on this? It would be very helpful to know that.

CHAIR DRYDEN: So what the GAC is doing currently is working in a small group on the margins of the L.A. meetings to map out these issues and look at what the GAC might comment on further or provide in the form of advice. I admit though, we are a bit challenged by knowing where the program is at in terms of delivery and knowing that, you know, contracts are signed, operators are operating. And so it's not entirely clear to us what is the best way to bring those concerns forward and try to get them addressed. So, as a GAC, we don't have that clarity. But the small group, I hope, will come back and be able to offer guidance to us. While we're here in L.A., we can have further discussion and communicate that, again, as soon as possible. But I do hope that at least in providing you a list of the issues that you have been able to take note of them and can perhaps look at what those concerns might be from our end in the meantime. Australia, please?

AUSTRALIA: Thank you, Heather.

And thanks to the question about timing. Because I think that's something that we've been grappling with ourselves.

So, reflecting back, I find myself asking whether we did the right thing for the last couple of meetings just asking questions when perhaps with hindsight this has led to a situation where we've been having a discussion at the Board/GAC level, at the implementation level. Contracts have been signed.

So now, if the GAC says we have a serious concern with the way that the safeguards have been implemented, what do we do about it? Because some contracts have been signed. If we decide to pursue this, we -- you know, we're going to end up in a discussion with the board. If we push hard and are successful, we end up with an inequitable situation. So we've been really grappling with it.

So, as we go forward from here, it would be really useful to hear from the board side whether there is some great solution to this process problem essentially that we face. We face -- as a GAC we've got to work through which issues we think are serious enough to pursue from here. And then how can we sensibly do that, if at all, starting from where we are?

CHAIR DRYDEN: Okay. Thank you. All right. So this -- I guess the last point we can make here bridges us into another topic that we wanted to raise and that was the workload issue in the community. So if you consider that we are still dealing with implementation of safeguards in the current round for all of these reviews to come, fundamental questions about what the objectives would be for any future round and all the other streams of work going on in the community, it's really hard for the GAC to see how

it can actually manage all these different areas of activity, just in relation to gTLDs.

Certainly in terms of WHOIS, the point that I hope is coming across in relation to all the work underway on WHOIS is that the GAC is really struggling and challenged in finding precisely where and when it is that the GAC needs to weigh in or focus its attention. We had some really great guidance from Bruce Tonkin yesterday in the WHOIS session which was very informative for the GAC. And again, I'd like to express the GAC's appreciation for setting up that panel in response to our request from London to hold that meeting.

So really here, I would like to reemphasize that we are looking for this critical path document, as we're calling it, that will help us see where there is a policy development process, where there is implementation of a policy, and where there is measurement of those implementation activities and understanding the interrelationships between those areas of work. I think the GAC would certainly want to focus on the policy development processes, but as we're finding, implementation can matter as well.

And in particular relation to this, and to illustrate the point, just today we were asked to join an implementation advisory group on conflicts with national law and, well, this is precisely the piecemeal kind of request that we're saying that we cannot accommodate. And I don't want to over-emphasize this point too much, but you are not going to get GAC-wide, GAC as GAC, inputs to any matter relating to WHOIS until the GAC can come to grips with where and when it is that we need to focus our attention. And it's clear that what you need from the GAC,

what you need from representatives here, is for us to go home and talk to our privacy authorities and law enforcement and undertake what is a significant amount of work coordinating, working with our experts at home, in order to formulate those views as a GAC and to give you that guidance. And we cannot do that until we know where and when and how and so forth in order to do that. So that is really the essential point that we wanted to make in our exchange with you today. And with something like the WHOIS implementation advisory group, I mean, are these things that can be deferred, to come back to the workload point? We can't have everything be a priority all the time. And if we don't participate, then we might get criticized for coming in later on if we suddenly realize that it is important or there's a decision about to be concluded, and so there we are. That is the point. So anyway, I'd really like to hear some kind of reaction. I did report to the GAC about the meeting of the leaders of the SOs and ACs that we had on Friday with the CEO and executive staff to really begin tackling this, and I think that is progress. But there's a lot to do done, and if this continues with let's have a new gTLD round, let's talk about WHOIS, let's look at the Expert Working Group and provoke a new PDP in response to those recommendations, it's -- yeah, it's too much for us to contend with. So anyway, I would really like to hear the board thinking on this.

STEVE CROCKER: Surely one of my colleagues wants to weigh in.

[Laughter]

Take it, Chris. There's some things we can say, but I'll -- I'll defer to Chris for the moment.

CHRIS DISSPAIN: So I think, look, I think that you're not alone in this, right?

I mean, I think everyone is in the same boat.   And I think you're handicapped to a little extent by the -- by the way you have to do stuff, and that's perfectly acknowledged. It's just the way that it is. I don't have any solutions for you. All I can do right now is express -- is express a level of empathy and understanding and say that I'd suggest setting up a working group to work on this but that would just add to your workload. But I do think that we do -- I mean, I think you need to know that we take you very seriously, and I think -- I'm not sure -- I'm not sure what we can do about it, but I think that -- I think the message you're giving us is -- and perhaps I can read your message back to you and make sure this is right, the message you're giving us is if something doesn't happen then we're not going to get from you what we need from you for stuff -- for -- for stuff to happen. And of course, the key thing we have right now is the transition and the accountability work which are -- which are -- so could I -- maybe I could ask that we -- we can take this offline and get a couple of -- couple of -- out of this room right now and get a couple of people to talk about it and see if we can -- if we can work out a way to deal with it.

BRUCE TONKIN: (Off microphone).

CHRIS DISSPAIN: Maybe yes, so -- Bill, as your sort of last act, could the -- could we -- could we dump this into the board GAC -- could we put this into the

board GAC working group as an urgent matter to be discussed, because it seems to me, the bottom line is you need some prioritization. Is that basically right, some prioritization? You need to -- we need to agree -- yes, but we need to agree that as well. You need to be a part of that discussion.

BRUCE TONKIN: Yeah, let me --

CHRIS DISSPAIN: You go.

BRUCE TONKIN: It's a little broader than that. I think, as Heather identified, they need a clear roadmap and the clear elements in that roadmap where the GAC inputs of most value, firstly. And then secondly, which I think is what you might be addressing, is once you identified where and when you need GAC inputs, then how to work between interfacing with the GAC and the community in terms of timelines because there are often different timelines. You know, you tend to meet in plenary every three months. That needs to be sort of built into a project plan so that you can actually get that input at the right time.

CHRIS DISSPAIN: Got it.

BRUCE TONKIN: That then becomes project management, once you've worked out the roadmap.

CHAIR DRYDEN: Thank you for that answer, and I think it's important to note, first of all, it needs to be a community-driven thing, identifying priorities in the community, and to note that the GAC and I think the other advisory communities would probably agree as well. We're on the receiving end. We don't really tend to initiate work. So we're just receiving it. We're not able to really control that, without your cooperation. There are things we can do internally within the GAC to make sure that we have support and we're doing things on our side, and that's really critical. But in terms of the work, we're receiving it, and so we really need to be working with others in order to do that prioritization.

And in terms of incentives for giving us clear priorities or engaging us in that to determine what those priorities are, if the GAC knows that there's a top three things or a particular sub-issue, then I think you will find we can be more flexible in how we're working and how we're engaging. Because then -- then we know, this is where we need to be, right now and why, and colleagues that are interested in that particular issue will be more likely to come forward. Then you also have support going to them from the GAC side as well as from ICANN, and things start to come into place so that you -- you find that the GAC's processes can really be more flexible than perhaps you imagined. So if that's an incentive to solve this problem, then let's proceed that way. New Zealand.

NEW ZEALAND: Thank you. I just wanted to reflect back on that. I think we definitely agreed that as a whole community ICANN could benefit from some prioritization, particularly something like the top three. If we had to focus right now, these are the things that we need to do, these are the things that have time pressures. There are some things that while important, I think perhaps could be deferred until later. Some of the work on the WHOIS, some of the work on new gTLDs. These are important but not the most important thing we're facing, and based on our workload we really could benefit from perhaps just putting a pause on them. Thank you.

CHAIR DRYDEN: Thank you. All right. So let's move on, then, to the issue of ICANN accountability and first of all, I can give you an update on some of the discussions that we've been having here in Los Angeles about the accountability process, and what we're looking at doing is coming up with some high-level principles. So work has begun, again in a small group on the margins of this meeting, and if we can come to consensus on that earlier in that process then we -- we think this will help us with both the IANA stewardship process as well as the ICANN accountability process. And in terms of stewardship, when looking at a proposal, then the GAC would have that set of principles as guidance to us when looking at that proposal. So this is the kind of thinking going into that. We do have a lot of different views as to what are the -- the main principles to be included in that and how to express those principles. But that work is ongoing, and hopefully there will be progress to report there on that.

One of the specific questions that we had in our preparatory discussion for this meeting was in terms of the board role or the board having a role in determining how the board would consider or perhaps consider not accepting recommendations coming out of that procession. And so I understand this is something that is with you for input or possible decision. And so I'm wondering whether that is something that the board has discussed or if you have thoughts on how to address that, because I think we're in step with other parts of the community, that that's really an important part of this. If you're going to have recommendations coming out of that process, then how compelling are they for the board to take on. So --

STEVE CROCKER: There's possibly several different things entailed in what you're talking about. There's the Red Cross issue of the moment, and is that the specific thing you have in mind or more general?

CHAIR DRYDEN: Bruce Tonkin.

BRUCE TONKIN: Yeah, let me make sure I understand the question. Heather, are you asking what will the board do when it receives reports from these working groups, is that the question?

CHRIS DISSPAIN: From the accountability?

BRUCE TONKIN: From the accountability? That is the question? Okay. The board has discussed this. Within the bylaws today there are procedures for the supporting organizations in the way we deal with policy recommendations, so in the bylaws for both the GNSO, the ASO and ccNSO, so we've looked at -- and there are slight variations between the three of them. But the basic principle is that the board would only reject recommendations if there was a 2/3 majority of the board that felt it was not in the global public interest to accept. The board would then send those recommendations back to the relevant working group for further work, with explanation of our concerns. A bit like in the bylaws with respect to the GAC, the board would then meet with the working group and have a session, similar to what we did in Brussels with the GAC some number of years ago. And then finally the board would commit that it wouldn't make any unilateral changes itself so that any changes that get made to any recommendations would need to be agreed both by the working group and then finally by the board. So there won't be any sort of change of recommendations between when the working group goes to the board and when the board sends those to any other party.

CHRIS DISSPAIN: (Off microphone).

Yeah, and then Chris just reminded me, so our plan at this stage is to formalize that statement in a resolution on Thursday.

But I'm giving you just the high-level view of it. The lawyers will convert it into much many more words.

CHAIR DRYDEN: Thank you very much, Bruce. That is helpful to us to know, just to get a sense of what it is that the Board will be putting forward in order to deal with the recommendations coming out of that process.

Okay. Brazil, please.

BRAZIL: Thank you, Chair, and I like to thank the ICANN board members for coming here and discussing with us.

I'd like to comment simultaneously on the IANA transition and the accountability process.

First of all to say that we fully embrace the call that was made for the global community to develop a proposal for the IANA transition. We have been fully participating this, as Brazil, not only as government but the -- all stakeholders are very enthusiastic about the process.

As a governmental representative, I must, however, say that the way the process is framed today is clearly insufficient from the point of view of what we would seek to see at the end of the process.

Our understanding is that the IANA transition should not be limited to the mere transition of the operational aspects, the technical aspects; that it should also include accountability, governance, and issues that are politically sensitive.

We think the announcement that was made by the U.S. government changed the dynamics of everything that is taking place in the organization. So I think it's not any more time to do business as usual. For example, in regard to accountability, and to think that in regard to accountability there can be a different speed that you can later catch with what is more urgent. I think the U.S. announcement and the timetable that is proposed should gear all of us towards a situation that would address everyone's concerns.

And I would refer to -- if you allow me, to the NETmundial statement which says that ICANN should evolve to global organization that has in place accountability mechanisms that satisfy both internal stakeholders and the global community.

And the definition of accountability coming from NETmundial, which I think was accepted by all of us, says, "Accountability are mechanisms for independent checks and balances as well as for review and redress."

So we think one solution that would touch only on one aspect of the transition, that would be the -- the oversight, over the -- that would not touch on those very fundamental aspects would be limited. That would certainly not address our concern as a government.

From the beginning, we have been participating in ICANN with all of our capacity, trying to contribute to the discussions; however, we have been very critical about the unilateral jurisdiction that is being expert upon. And this is not something that is on the table. We think this is a crucial matter that should be addressed.

For example, we have been faced with a situation very recently in which one of the gTLDs that was requested could have led to a judicial settlement. And that would oppose a number of governments from my region, from South America, to one company, and that would be decided by a judge in California.

So a solution that would address the IANA transition but would not address this would certainly not be satisfactory for us. That would not lead to a situation in which we feel comfortable.

I think more than addressing a mere technical issue -- which, by the way, was not the one that triggered the process. I think there was not a technical problem about the process that triggered the decision. I think there was some kind of more political interest, enhancing the legitimacy of ICANN. This will not be addressed. Only if we focus on.

I know this adds complexity to this exercise. And the limits for this should be, of course, specified, because otherwise, we can come up with a very burdensome task that will not be done. But we think the effort is worth, and we are ready to engage.

One of the problems we see, for example, in regard to governance, we have just heard from the ICANN staff that in case a recommendation emerging from the accountability comes to the Board and the Board decides by two-thirds that it is not in the global public interest, it will reject.

So it might seem very strange for some governments that the Board that does not include governments in decision-making power will decide what is in the global public interest.

So I think there are a number of issues here that need to be better understood and better revised. We don't think the process as it is now will satisfy.

I'm saying this because we have been engaged in this in earnest with you, but at the end, I fear that a solution that would be very narrowly focused might be rejected even by my own government who will say, "Oh, you were there? You negotiated and you come up with a solution that is satisfactory to the U.S. government, that probably will be more than satisfactory for the ICANN Board and stuff, but it's not satisfactory for your government's interests."

So I think we are engaged in a multistakeholder exercise, and we should look at the way that will -- the final proposal that will emerge will address the stakeholders' interests and concerns as was specified by NETmundial recommendation I have just read.

Thank you.

CHAIR DRYDEN: Thank you, Brazil.

Bruce Tonkin, you wanted to reply.

BRUCE TONKIN: Yeah, thank you, Heather.

Yeah, just to be clear, there is actually two separate processes. There is one process which is looking very specifically at the IANA technical functions, as you point out, but there is a separate process which is an

accountability Cross-Community Working Group that is not constrained just to look at the accountability issues as they relate to those technical functions.

So that second accountability cross-community working group is actually intended to look at accountability of ICANN in the broader context.

Now, within that accountability, what Mr. Strickling from the U.S. government said is that broader group needs to prioritize its work because there are many accountability mechanisms that the community could consider, and is asked to pick the accountability mechanisms that need to be in place as a result of the U.S. government transitioning its role.

So it's not constrained to IANA in any way. It's just saying that that work needs to be prioritized.

So that second working group is the working group it sounds like your government will want to be heavily involved in in providing its input.

CHAIR DRYDEN: Thank you for that response.

So I have Indonesia, Portugal, and China, and Iran, and Japan. Okay. And then I think we'll need to go through the remaining topics on our agenda.

Okay. So Indonesia, please.

INDONESIA:	Thank you, Chair. Initially I would like to share the problems as explained by our colleagues from Brazil. And day before yesterday, during the GAC meeting, Indonesia would also like to raise the problem as how the global multistakeholder institutions will work. Not under legal system of particular country but under legal system of international acceptable legal system such as U.N. legal system, for example; how it can be adopted. U.N. legal system, we thought being a U.N. organizations, but still a multistakeholders organizations.

This is rather similar with what our colleague from Brazil has just mentioned.

The second thing I would like to raise is the one, it was also discussed during the GAC last Sunday meeting. China, for example, request explanation about how the root server, currently operated by VeriSign under the contract of NTIA, how the status of this activities.

Now, currently, the NTIA operate the root server through the VeriSign and operate the IANA through ICANN. So both of them can work in harmony.

Now, if the IANA is operated under a group of multistakeholders which is not reporting to the NTIA as was requested by U.S. government because the global multistakeholder should be neutral and not reported to any country or any group of countries, how it will work in harmony still with -- still in harmony with the root server operated by VeriSign? Just also I want to know how it can be possibly arranged; two organizations with different boss can work in harmony together to make sure our Internet is still operating properly. Thank you.

CHAIR DRYDEN: Thank you, Indonesia. Next I have China -- Portugal, sorry, and then China.

Portugal.

PORTUGAL: Thank you very much. I will be very short, but I will speak in Portuguese.

We held a discussion on Sunday during our GAC session, and it's important for the Board to be aware that there are no interests in the GAC. We, of course, have our own interests, but the Board will continue expressing its views.

And I am not looking forward or awaiting any reply from the Board. What I only wanted to convey is the position of Portugal's government right now regarding what is going on in this realm or area and regarding the IANA transition.

The IANA transition is one of the major elements. This is not only about accountability. It goes far beyond that. This is about the fact of using the word "globalization" next to the word ICANN. Once and once again, governments are not a committee that adjusts things or set conditions upon a company. So this was done in a very interesting fashion. NETmundial was quite helpful. In the forthcoming months, you will continue speaking or debating this topic, and it really makes no sense for all these issues that are more and more complicated, for all these issues to be governed by the Californian law. They have to be within the remit of international law. And Portugal will never say that we want

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an intergovernmental solution or process. Far from it. We want international public law.

Thank you.

CHAIR DRYDEN: Next.

CHINA: Thank you, Chair, and thank the Board for coming. I'm going to speak in Chinese.

First of all, I would like to say Brazilian and Indian representatives have raised the question. We think this question is very important. We are also paying a lot of attention on it.

Our question is about the international governance of ICANN.

We have seen that over the past few years ICANN has conducted a lot of actions and activities on international governance, including attending the NETmundial, establishing the International Internet Cooperation Panel, and also establishing the strategic panel, attending IGF, ITU, and other events.

Lately, ICANN has launched a NETmundial initiative with WEF, which is World Economic Forum.

Please -- the board or Fadi please explain the next steps of ICANN in terms of Internet governance, specifically, on the NETmundial initiative. Do you have the next steps in this regard? We hoped you'd know more

so that we can adapt and encourage Chinese communities to participate in relevant events. Thank you so much.

CHAIR DRYDEN: Thank you, China. Would anyone like to respond to that particular question? Okay. All right.

Next I have Iran.

IRAN: Thank you, Madam. We are grateful and thankful to the board. As usual, always allowing us to share our point of view with them. I think we need at this stage to concentrate more on the accountability process. The accountability process -- the approach which has been taken by board needs to be reviewed.   And starting from the establishment of a group with membership representatives of all 13 communities. And then that group needs to first establish organizations of the group, then having a charter of the group, and then having the way that the issue of accountability along the line of what was said by Brazil and, in particular, also the issue raised by Portugal and the other issue to be mentioned and then put it to the community comments. And, after the comment is received, will be finalized. And then that goes to the public for comments on the entire procedure of the accountability. And after that, the group prepares its report. And this report then we knew -- should like to know where and how this report will be discussed.

Currently, everything comes through ICANN. It comes to the board. What we suggest that or we believe that on the final report of that

group, if it is established in the way that we have mentioned similar more or less to the ICG, ICANN should not or board should not have any editing or any auditing of that. However, they could add their own comments on that accountability, which is the issue raised by Brazil and partly by Indonesia and Portugal and other colleagues. After that we would like to know to whom that accountability should be addressed. There should be a need to have an international system or whatever. And Brazil proposed a NETmundial mechanism to deal with the accountability. We do not believe that the accountability, which relates to the activity of the ICANN, should be given the ICANN. Should be another entity who deals with that. And ICANN should be responsible and accountable to that entity, whatever that entity should be. For the time being that issue is not clear, and we don't know how the matter is going to be done. Therefore, we believe that the review of the whole process that now announced by ICANN three days ago needs to be further taken into account all of the comments that has been mentioned at this meeting by various colleagues and try to have an approach which works and which has some results. Otherwise, I don't think that we will have a proper activities on accountability. This is much more important than the activity of the transition of IANA function. Accountability is the core action, is the heart of the business, and needs to be addressed. And, unfortunately, we have mentioned several times it seems that there is some sort of reluctancy not to listen to what we are saying, not listen to what we express as a concern. And we hope this time that we will be heard and we will be -- our point of view will be taken into account. Thank you.

CHAIR DRYDEN: Thank you, Iran.

In response to China's intervention, I believe Fadi Chehade would like to provide a reply.

FADI CHEHADE: Thank you, Madam Chair. If I could, I had signaled that I'd like to give a reply to a number of the comments I just heard to help a little bit, if I could. Let me start with the accountability. I do think I'm hearing three things. So let's ferret them out a little bit. There's an issue of the scope. There is an issue with the linkage of the accountability track with the transition track. And there is an issue with the board role with the outcome of these activities.

Let me address each quickly. First, on the scope. I think it's extremely clear from the new document that we issued a few days ago on the accountability that everything is in scope. So let's be very clear. There is nothing out of scope. That document does not say we can talk about X but not Y. So let's be very clear about that. I think what was suggested through the comments of Assistant Secretary Strickling of the U.S. government that we should have two tracks within that accountability moving at different speeds, one track that deals with accountability matters that the community believes are necessary before the U.S. moves with the transition and another set of activities that could take a little longer to get done that are not under some kind of a time limitation. So the scope is absolutely unlimited. There was very good clarity on that.

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The second point was the linkage between what comes out of the track as it relates to transition and the transition itself. In Istanbul Assistant Secretary Strickling was once again crystal clear. He will not accept a proposal of transition without community consensus on accountability relating to the transition. He linked them completely.

So any question that we could have a transition without community consensus on the necessary accountability measures to proceed with the transition is done. He made it superbly clear. I need both.

The third point is about the board role. The concern, which I'm hearing here and in other parts of our community, is we work very hard. We produce a set of recommendations. And the board, through the legal procedure that you heard from my colleague, Bruce Tonkin, may reject them.

Let's get practical.

Secretary Strickling again.   If the board does not engage with the community on this process of accountability and produce what he called a consensus agreement, which includes the community and the board, then it's no good. It is unacceptable. Whatever our board rules are. He said, "I need something that all of you have agreed works so that I can take it to my government."

I think these things should put us all at ease.

He put some incredibly important safeguards and made these statements publicly.   And, if the U.S. government is here, they're welcome to confirm his comments. He made them superbly clear. And he repeated them here in this meeting. And I hope that these help us

move forward on the accountability front with assurance that nothing is off the table. There will be no transition without the minimum accountability measures we agree on as a community.

And three: That, if indeed, accountability recommendations come to this board and the board does not accept them and we're no longer in consensus with the community, he will not accept them.

Indonesia, you mentioned a root server that VeriSign has. Just for clarity, I think you meant their role as the root zone maintainer. Because they also have two root services. This is separate. This is not part of our discussion here. We're talking about their role in maintaining the root zone.

Your question was: Once the U.S. government ends its contract with ICANN and its contract with VeriSign, how will this be coordinated? Because we now have two parties.

Well, clearly, these two parties will need to have some mechanism to coordinate their activities. A contract maybe or some other vehicle.

Nothing will happen until the community tells us what is the outcome. Once we have the outcome, we will execute on it. But it won't be left without proper handling and proper operational and contractual management so that, if the U.S. government leaves its role with both of us, some other mechanism will have to be put in place.

And staff is already thinking about all these things. But we cannot execute on anything until the community tells us what is the model. We're already looking at various options and understanding them and piloting whatever we need to pilot. But we're not going to move until

the community tells us what is the model of the future. So I hope this helps a little bit with your question.

China asked about NETmundial. What is next?

NETmundial provided the world with a set of principles and a roadmap. In that roadmap NETmundial suggested a few things so we can move forward. The community is still discussing these things. There is no decision yet. The Brazilian multistakeholder community, along with ICANN, along with others, we're all in discussion. As you saw we had a big meeting in Geneva that the World Economic Forum hosted. But this initiative is still in discussion and there is no -- at the moment, no specific outcome. But please, stay tuned and in the weeks ahead, if you have insights or input, I'm sure Brazil or others will be happy to receive them and we will hopefully have a bottom-up -- a bottom-up next step that brings us all together so we can take the distributed multistakeholder model to the next stage, as the Brazil roadmap suggested we do.

To Iran, I just want to finish with a comment on the Iranian comment. The gentleman was saying, we need to be accountable to another entity. The U.S. government was very clear that our accountability is to the multistakeholder community. It is not going to be to a government. It is not going to be to an intergovernmental organization, with all due respect. These are the conditions that the Americans have set. There's no question about that.

So if we're going to create another entity, it cannot be an intergovernmental entity. And as some people have suggested, we're going to simply recreate ICANN. So why restart the process? Why not,

CHAIR DRYDEN: Thank you, Fadi. Before I gave you the floor, I had Japan in the speaking order, and I really believe they need to be given the opportunity to comment, and as I said, perhaps could have done that before your intervention. So Japan, please, will you go ahead, and then I believe Brazil would like to respond to the comments you just made. So Japan, please.

JAPAN: Yes. Thank you, Chair. Just I have a process question regarding the relationship between IANA stewardship and ICANN accountability. Especially the proceeding process to consider them, we can clearly not to understand it.   We believe that post-transition governance (indiscernible) by multistakeholders in the IANA stewardship and enhancement of ICANN accountability need to be linked, not to be in parallel, not in different track.   Other than CEO Mr. Fadi kind of mentions in the open plenary yesterday, but still we do not find a concrete collaborative process and the way such as how to link between respective discussion groups. So we think that this should be necessary for us to have the integrated discussion between the IANA stewardship

instead, focus all of our energies on making ICANN the best place it can be, by making it more accountable, more efficient, and this is why we're here in Los Angeles. So let's work together. We have a big journey ahead. Let's cooperate and make this the best possible outcome for all of us, with full accountability and commitment to the global public interest.

CHAIR DRYDEN: Thank you, Fadi. Before I gave you the floor, I had Japan in the speaking order, and I really believe they need to be given the opportunity to comment, and as I said, perhaps could have done that before your intervention. So Japan, please, will you go ahead, and then I believe Brazil would like to respond to the comments you just made. So Japan, please.

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and the accountability as soon as possible. So therefore we'd like to -- be very grateful if you could provide that information. Thank you.

CHAIR DRYDEN: Thank you, Japan. Brazil.

BRAZIL: Thank you, Chair. And I'd like to thank Fadi for his comments. But I think in his comments he has just made clear the differences we have in approach to this because we can see and understand this transition process as you have spelled out, that the proposal by September '15 will include accountability measures in regard to the IANA transition. And you can understand that this is the approach we will take and Secretary Strickling has proposed, but with all due respect to your approach and to the U.S. approach, the approach that my government wants to take begs to differ, and to say that we think accountability should be more encompassing than that. That should also include other measures that would also change the nature of this exercise. It would be a very narrowly focused exercise, one that would certainly after September '15 lose the same stamina and strength and engagement. So we would like to see that those processes converge.

I like better the answer that was given by your colleague. I'm sorry, I don't recall the name, the gentleman, because he said that the accountability process is -- that is taking place is free and they have the flexibility to determine the limits in which those elements from accountability will be inserted into the final proposal handled by September '15. So those could be accountability measures limited to

the IANA transition and that would go beyond. That's what I understood he said, that there is room for these accountability process to decide what accountability should be included. If this is the case, I think there is room for reconciliation of both stands because then we can come to an agreement that at such point should be included. Other things that are maybe more complex could be left for later on. But as from the start, I'd like just to start there, two different views. And we, in principle, do not think it is acceptable to have a very narrowly focused understanding that accountability measures will be included by September 2015 will be limited to the IANA functions. We think that would be insufficient. Insufficient.

And in regard to the September 2015 deadline, we are fully committed to this. We -- sometimes we say we set for artificial deadline, but I don't think this is an artificial deadline. It is something linked to a very concrete thing. But we would prefer to have a good agreement than a bad agreement just to comply with the deadline. So we are fully behind and fully engaged, but we would like really to go an extra mile in making all the efforts we can to address in line with what NETmundial said. The accountability that addresses the interest of both internal and the global community including governments. Thank you.

CHAIR DRYDEN: Thank you, Brazil. Okay. So we're over time as it is and we have just a few short items that I think we do need to cover before we conclude this session. So what I would like us to do is we have a question from Australia regarding an external provider for secretariat support to the GAC. Belgium would like to seek some clarifications on .SPA, and then if

the board or NGP has an update on the issue of Red Cross/Red Crescent protections and I forgot to mention this earlier, I think, that also in the proposed bylaw changes then I think it would be good to hear from the board whether they are taking further action or when they intend to do so on those two items. So if I can turn now to Australia, who I believe has a question for you.

AUSTRALIA: Thank you, Chair. And I will try to be very brief. Moving from the very big picture and important issues to something more prosaic but still important. As I'm sure we're all aware, the GAC has been through a very long and very detailed process to agree on a hybrid secretariat model for support and then to realize that model. My understanding is that the contract has been finalized and that it has been agreed by the donor countries, and thanks again to those donor countries for their very generous support for this. And there's also actually been signed by ACIG, the entity that was selected by the GAC. And so I understand it's now ready for ICANN's signature, but it appears that the realization of this goal for a long-term and stable solution is awaiting ICANN's approval or signature. So I'm wondering if either we can get an update or assurance that it is well in hand and that it will be shortly realized. I know it's not as important, perhaps, as some of the other big picture global issues but it is something that the GAC has been pursuing for a long time. So I did want to take this opportunity to get some assurance that we are close to realizing that goal.

CHAIR DRYDEN: Thank you, Peter. The Netherlands, did you have a comment on this same issue?

NETHERLANDS: It was the issue of .GAY, which you announced in the beginning also of your --

CHAIR DRYDEN: We won't have time, I think. But if there are questions that we can provide perhaps after the session today so that we don't lose sight of these issues, then perhaps that's a way to deal with things. There are a few other issues that we did want to cover in this exchange, but I think we are really running out of time. So I appreciate your understanding.

Fadi, were you going to respond to the question from Australia?

FADI CHEHADE: Yes, very quickly to simply say that we are in discussions with ACIG and we -- we hope to complete these very quickly and get the board's approval for the contract. But I want to emphasize that our number one priority is to ensure that we continue the best possible support for the GAC, uninterrupted, smooth, so that there are no issues moving forward. So we're working towards getting this done, and we will have a special -- actually special board meeting to address this after ICANN 51.

CHAIR DRYDEN: Thank you. Okay. Belgium, please.

BELGIUM: Thank you, Heather. I will speak in French.

Belgium would like to thank the Board for their reply to our letter, the letter by our minister. We received that reply a short while ago.

We appreciate your time and efforts devoted to this topic. We will analyze this document and we serve the right to provide further information and also we would like to make some observations that are related mainly to two topics.

First of all, to the role of the geographic names panel. In your letter, you say that none of the applicants for .SPA used the domain name in relation to the city of Spa. In our understanding, one of the applicants precisely mentioned the risk of having this name confused with the name of the city Spa.

So I would like to know in what way the geographic names panel took these elements into account.

Also in terms of that panel, we would like to know the way in which that panel took into account the comment made by government in as much as the panel's decision was made prior to the GAC communique in Beijing. So this poses some questions or concerns.

Secondly, we would like to know the next steps in this procedure, how the community aspects of the application will be taken into account. We were told that the eligibility criteria are so demanding that it is very hard to meet them. So can you please confirm the restrictive nature of these requirements? And if so, what would be the value of a procedure

that would favor projects that, at the end of the day, would not be applicable to communities?

My conclusion is the following. I would like to insist on the fact that my government does not want to defend a national interest in particular, but, rather, defend the right holders and have legal certainty and coherence in the application of the Applicant Guidebook.

These community issues pose many questions and concerns among applicants that have invested funds, plenty of funds, along the lines of the Applicant Guidebook and negotiated or entered the negotiations with local stakeholders or authorities and fear that their efforts were to no avail because they will end up in an auction.

Finally, we do believe that there are some priorities, but these procedures have to be practical in reality.

Thank you.

CHAIR DRYDEN: To respond to these comments or acknowledge them from the Board side?

Fadi Chehade.

FADI CHEHADE: Thank you, Belgium. We really appreciate your efforts and your engagement with ICANN with complete openness and in a spirit of collaboration and working towards a resolution of these issues.

So we would appreciate it if you could put forth your questions formally, but we do appreciate your recent input.

Thank you.

CHAIR DRYDEN: Items on the topic of Red Cross/Red Crescent. Is there anything that the Board or NGPC would want to update the GAC about there?

Cherine Chalaby. Thank you.

CHERINE CHALABY: Right. I would like to give you an update on where we are on the GAC advice on the Red Cross and Red Crescent, particularly in relation to the Singapore communique and the London communique.

We have been discussing this at various meetings, and as would you expect, we had some concerns, the NGPC had some concerns with a part of the GAC advice where the GAC believes that some subjects are not appropriate for a GNSO policy development process.

To that end, the NGPC has written to the Board saying that the advice touches on concerns, structure established in the bylaws. And the NGPC recommended that advice be taken by the Board and the Board will write you very shortly.

However, in order to progress things, we -- today, the NGPC passed a resolution to provide temporary protection to the 189 national Red Cross and Red Crescent societies and the full names of the International Committee of the Red Cross and International Federation of the Red

Cross and Red Crescent Societies as advised by the GAC in its communique of Singapore.

These protections would remain in place while the GAC, GNSO, Board, and ICANN community continue to actively work together on resolving the differences between the GAC advice and the GNSO policy recommendation.

So this is where we are.

CHAIR DRYDEN: Thank you very much for that update.

On the issue of the proposed bylaw changes to amend them to a third -- two-thirds majority to reject or take a decision not consistent with the GAC's advice, are there any updates there that the Board would like to -- the Board or NGPC? I think it's a Board matter? Yes?

STEVE CROCKER: Yes.

Well, you've seen the substantial reaction to the proposal.

The reaction embodies, to some extent, misunderstanding of what the purpose and the context was, but it also is very instructive to all of us that the timing of all this comes in the middle of the broader accountability question.

So it's -- I think it's in everyone's interest, GAC's interest, Board's interest, and the entire community's interest, to put this on hold and come back and revisit this in a larger context, and that's our plan.

CHAIR DRYDEN: Thank you. Okay. So at this point, let me thank everyone and thank our Board colleagues for coming for another exchange.

Ah, you have further comments. Bruce Tonkin. You're between us and the social event following the meeting, so okay. Over to you, Bruce.

BRUCE TONKIN: It's actually a question for a GAC instead of a response to one of your questions.

The question is does the GAC have any clarification of its position on two-character codes at the second level of gTLDs?

Currently, in the gTLD agreement, there's an ability for a registry operator to seek approval from ICANN to delegate two-letter names or two-letter -- two character codes at the second level provided they provide a process for dealing with any issues of confusion with country codes. I think the possible process is that those requests get posted as they have in the past, and if there's any objection to the proposed implementation from the registry operator, then ICANN would consider that.

But we're just wondering if you had any advice for us on that topic before the staff proceed.

CHAIR DRYDEN: Thank you, Bruce. So we are anticipating having some reference to this, some kind of GAC comment or advice in relation to this matter that

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would go into our communique. We did have an initial discussion, and it does seem that there is a variety of views about how they should be handled. And so where things currently appear to be is that each government would want to be consulted about the release of their country code for the ones that are on the ISO list.

And as we finalize our communique, I hope that our views will be brought into further focus based on our earlier discussion, and this will help you determine next steps regarding that.

So anyway, we had a good initial discussion, so I think you can expect better clarity from us on that matter.

Okay. All right.

So I think at this point let me -- let me thank you again for coming and for having this exchange with us again today. It has been informative as useful -- as usual, and also I want to remind colleagues about the social event of the Board and GAC to take place immediately after this session, and that is in California Showroom B. And so I hope that support staff can help guide us towards that event so that we don't get lost, but I think it's on this level.

STEVE CROCKER: Is that right? I thought it was upstairs on the plaza. We have some confusion about this.

Plaza level, upstairs.

And there's one other small detail that needs to be dealt with. This is really a time to thank you for your extended service on the GAC, and so the cocktail party upstairs will be in your honor.

A round of applause.

[Applause]

Drinks are on us.

CHAIR DRYDEN: Thank you. And see you all upstairs.

Thank you.

[END OF TRANSCRIPT]