
LOS ANGELES – GAC Communique Overview
Wednesday, October 15, 2014 – 11:30 to 12:30 PDT
ICANN – Los Angeles, USA

CHAIR DRYDEN: Okay, everyone. Let's begin. We have a couple of items to cover before we break for lunch and then come back to finalize the communique.

So first of all, we will have a report on the outcome of the elections for the three vice chair positions in the GAC, and then we will have a presentation of a report, a writeD up of the elections process to follow. And both of those things will be provided to us by the ACIG secretariat.

And then we will take a few moments to do an overview of the communique, and this is really to confirm what are the headings that are going to be in the communique, ensure there's a common understanding, and if there are any updates to have from some of the small groups that have been working and so on. And we can hear back from them so we know what we have to tackle when we come back in the everyone, again to finalize the communique.

So at this point, I'll hand over to Michelle to give us the results.

Thank you.

MICHELLE SCOTT-TUCKER: I'd like to announce the results of the GAC vice chair election.

As I did yesterday and as I explained yesterday, I'd like to read out the names of each candidate, all six of them as I listed, in the order that they were listed on the ballot paper. I'll read out the candidate's name

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and then the number of votes. At the end, I'll read out the names of the three who received the most votes. So the three new vice chairs. It would help me, and I think help the scribes and the translators, if you stayed quiet until I read out the names until the three new vice chairs, because it's important we get that information on the transcript.

So to begin, Ms. Olga Cavalli, Argentina, 77 votes. Dr. Vujica Lazovic, Montenegro, 11 votes. Mr. Henri Kassen, Namibia, 67 votes.

Ms. Gema Campillos Gonzalez, Spain, 48 votes. Mr. Wanawit Ahkputra, Thailand, 38 votes.

Dr. Ihsan Durdu, Turkey, 34 votes.

The new GAC vice chairs will be Ms. Olga Cavalli, Mr. Henri Kassen, and Ms. Gema Campillos Gonzalez. Congratulations.

[Applause]

I'm just trying to press send on the report and my email is giving me a little bit of grief, but I'm sending those results to the GAC list.

If you bear with me, I will send them to the list very quickly, if I could just have two minutes to sort that email problem out.

I've just now sent to the list the final report about the GAC chair and vice chairs election process. It builds on that earlier election process document that you've all seen a couple of times that I've sent out over the last few months, but it includes the results of yesterday's election.

This is the first time in GAC's history that we've run an election like this. The operating principles provided a strategic overview of what needed to be done, but it was pretty high level, so the GAC secretariat needed to, in many ways, invent a process for this election process.

I think it worked. I think our process worked okay. I hope you agree that the election has worked. But it's by no means a perfect process. And so what I'd like to do is take the lessons we've learned from this process and use it to improve the process next time and the time after and the time after.

So the report that I've sent around lists some of those issues that you might want to consider in making changes to the operating principles in order to improve the process for next time. But I'm happy to take any feedback you've got about the process, either now or by email about improving it.

Denmark asked yesterday a question that I've been asked by several GAC members about making the names of the members who voted by email available. And we've considered that fairly closely with the people who are overseeing the election, and we've decided not to make the list a separate list of who voted by email available. And we've got a range of reasons, and I'll start with the weaker ones and go through to the stronger ones.

In that original election process document, we did not say that we would make that list of names available. And so the permission of each email voter to make that information public can't be implied.

Also, subsequently making that list available would, in fact, alter the process partway through, which was something else we didn't want to do either.

Circulating a list of GAC members who voted by email, and this is a slightly stronger reason, I think, it necessarily identifies those members who did not vote, and voting in the GAC was not compulsory and the choice of whether or not to vote should remain a private one, I think.

There were members who voted by email who were here. There were members who voted by email who wanted to be here but couldn't be here. There's a whole a lot of reasons why people who might want to keep their voting, the act of voting to themselves, and I didn't want to potentially and unintentionally break that privilege.

The other thing, too, is that knowledge about who voted by email did not add any necessary information to the outcome. A vote is a vote and the email votes carried as much weight as the ballots. So for those reasons, we haven't made available a list of those who voted by email. You might want to change that for the next election. If so, change the operating principles and we, of course, will change that process.

I think that's all I've got to say about the election at this stage.

As I said, you'll have the opportunity in Marrakech to potentially make some changes, and the new document I've sent through works through those changes.

Thanks, Heather.

CHAIR DRYDEN:

Thank you very much, Michelle, for that report.

If colleagues have any questions or any comments to make about the election process, then now is the time to do that.

United States.

UNITED STATES:

Thank you very much, Madam Chair, and thank you to the chair, the vice chairs, and the secretariat for managing this process. We have certainly survived the GAC's first election process, I think in quite good form.

And I'd like to preface what I am about to say with a -- first a statement that we have, and we hope it's been crystal clear, longstanding policy of supporting and welcoming the participation of regional and international organizations as observers to the GAC, pursuant to the current GAC operating principles 15 and 16.

However, we are also aware that such participation raises other considerations, especially as the number of regional and international organizations with an interest in participating increases in number.

Like others, the United States has concerns about the lack of clarity in the operating principles and the various interpretations of membership that have resulted from that lack of clarity.

While concerns about the operating principles are broader than just the issue of elections, we believe these elections do highlight the urgency of addressing the inconsistencies in the operating principles.

The longstanding U.S. position is that if regional organizations are allowed to vote, this provides an undue advantage to the constituent members of that organization who are also allowed to vote.

Accordingly, the United States firmly believes that regional organizations should not be in the position of voting in either this GAC election or any upcoming election. However, for the purposes of this election only, and in the interest of advancing our work, we deferred to the chair and to the process for the purpose of determining voting rights and conducting the selection.

In doing so, the United States underlines its rejection of any assertion that the decisions concerning the role of regional organizations in the GAC will serve as a precedent for future meetings of the GAC or other international fora.

Thank you.

CHAIR DRYDEN:

Thank you, United States.
I have Peru.

PERU:

I don't exactly agree with Suzanne, because, for example, in the case of Central America, we have worked with the SICA, which is the secretariat for the Central American countries, and we have encouraged them to participate because individually, for the Central American countries, it's more difficult to participate.

So I don't see why not, in a situation like that, a regional organization like the SICA, which represents a number of Central American countries which are not represented individually here, cannot vote.

So in any case, the situation would have to be analyzed in every case differently.

Thank you, Peru. Just one point since you referred to Suzanne. I think in this kind of a discussion, we need to be clear that we were hearing from the United States, and that was a estimate of their policy. And I assume we're hearing Peruvian policy on this matter regarding the standing of intergovernmental organizations in this committee. We do need to be, I think, attentive to those kind of details.

I have Australia, then Switzerland.

AUSTRALIA:

Thank you, Chair, and thank you to those who have spoken before.

First, I'd like to offer congratulations to all the incoming vice chairs. Well done.

I look forward to working with you in the coming months as the GAC transitions to a new leadership team. So highly congratulations.

Relating to the election process and similar to the United States, Australia's consistent position in international fora is that reasonable organizations should not be afforded voting rights in addition to those of its member states, which I think goes to the point raised by Peru. So it's an additionality issue, to be clear from Australia's perspective.

We're concerned about the lack of clarity in the operating principles relating to the participation of regional organizations in GAC elections. Given this lack of clarity, for these elections we defer to the chair and to the process for the purpose of determining voting rights. However, we consider that the GAC operating principles should be reviewed with a view to clarifying the status of national governments and multi- -- versus multi-governmental organizations or regional organizations in advance of future GAC elections.

Thank you. And again, congratulations to all.

CHAIR DRYDEN:

Thank you, Australia. Next I have Switzerland.

SWITZERLAND:

Thank you, Madam Chair. I also would like to congratulate and welcome the new vice chairs in the team. And as I said, I'm very much of a team player so I look forward to good cooperation with the old and new team to make a smooth transition. And things are already rotating back home to find ways to do this as smoothly as possible, and we will somehow get there.

I would join others in saying -- No, first of all, I think we need to thank the secretariat and Michelle for doing a great job in organizing these elections. They have really done the best to communicate clearly and provide for clear rules based on the operating principles. I think this merits a big thanks.

And in addition to that, I would also join those who say that we have realized in this first experience that we would probably need to add the issue of election procedures to the to do list in the working methods effort, because we have realized that some -- not before, but after -- or during the election, we have realized that some aspects of the procedures have been problematic. For instance, what if somebody cannot, in cases like this could not come here because there was a hurricane in the airports and they couldn't depart for a few days and they had no chance to vote? Other people had to leave earlier here and did not have a chance to vote. There were some procedural issues. And an issue which is very dear to us is the issue of geographical representation, which we discussed already before the elections, that it would be wishful to have all the regions somehow present in the team, in the leading team of the GAC.

We started reflections on this before the election. It was too late, it was felt that it was too late to amend the operating principles. But I think this is an urgent issue that we need to be flexible and get together with ideas on how to make the GAC leader team as representative as we can. And maybe we have to find a two-track solution, one is a fast track to make this -- to get there in an informal way, and another one is to really work on the operating principles to specify a little bit more what we mean or how we define and how we try to implement geographical diversity and representation in the GAC. Because as I already said yesterday, we need to give everybody equal voices. We need to be inclusive. And that also takes into account that all regions have similar access to the GAC on all levels. And so I would invite everybody to be innovative and constructive and find a way to make sure that we have

representation, a diversity of representation that is satisfactory to all regions.

Thank you.

CHAIR DRYDEN:

Thank you, Switzerland.

So I have Canada, the European Commission, and Iran.

CANADA:

Thank you, Chair. And allow me to also join colleagues on congratulating the newly announced GAC vice chairs.

Canada also shares concerns raised by the United States and Australia. We certainly welcome the involvement of regional organizations in the GAC, as we believe their participation adds value to the GAC's work.

The GAC operating principles are unclear with respect to membership and need to be revised to be clear for future. And we look forward to this work be undertaken.

Canada believes that in most situations, regional organizations should refrain from voting, leaving that to their constituent member states. To act otherwise risks an unfair voting advantage.

In the upcoming operating principles review, Canada will welcome the fullest possible participation by regional organizations, with an interest and competency in our areas of work and in line with precedents on such participation in other multilateral bodies.

For example, we believe that the United Nations resolution A-65276 is helpful in defining a clear and consistent approach to regional organization participation in broader multilateral bodies.

Thank you.

CHAIR DRYDEN:

Thank you, Canada.

European Commission, please.

EUROPEAN COMMISSION:

Yes. Thank you very much, Mrs. Chair.

Well, thank you. We -- Shhh. We take note of the observations and comments of the delegations from the United States, Australia, and Canada. And while we respect, of course, their concerns about additionality in international organizations, our view is that the operating principles have been applied in this sui generis organization, which is not an international organization, but an advisory council.

And they have been applied and used, and we think in an appropriate and correct way by the group.

The operating principles, it's true, are not always as crystal clear as they might be, which is true of many other aspects in the operating principles. But we think that you have applied them correctly in this case. The membership has clearly been reflected by the secretariat, by the GAC, and in its activities. And the additionality of voting, we think, in this case has not had any impact on the results of the vote.

Thank you.

CHAIR DRYDEN:

Thank you for that.

Next, I have Iran. Then Trinidad and Tobago. And then the Netherlands.

Iran.

IRAN:

Thank you, Madam Chairman.

First of all, congratulations to newly elected vice chair. And just take it from that point, I understand that was the first time we have gender balance in the management. Don't we?

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Yes.

IRAN:

Yes. No?

We don't have gender balance? Two –

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Not the first time.

IRAN: Not the first time. We had already before. That's good that, please, we confirmed that. That is good that that issue is discussed everywhere, and always there are questions raised, and good we continue to do it. Now, coming to the situations, yes, the operating principles has some good points. And we have to look at that.

As the European Commission mentioned, GAC issue at least at this election did not have a consequence on that, because the difference of the vote did not have any impact whether or not they voted or not voted. So could have -- that was the clear-cut majority and so on, so forth. But whether or not they should vote or not to vote, subject to discussion. But there are other issues, the issue of geographical distributions or geographical representations.

I see, for instance, currently a region with ICANN (indiscernible) 75 countries and ITU-wise, or United Nation-wise, 50 countries are not represented. That's all. So that is a pity.

Asia-Pacific admittedly, I don't know any other -- they are not represented. It is a pity. Big regions. So we have to (indiscernible) that.

More than that, we need to look at the issue that we -- if you have one chair from one region, we should have four wise chair in future from four other regions. And we have to look at that one. This issue of the additional vice chair was discussed, but never we concluded that. We have to conclude that at a later stage. And having that in order to have a balanced distributions and so on, so forth.

So these are the issues that we need.

We also look at the principles of voting. Yes, thanks to Michelle. First of all, we really deserves a round of applause by all of us.

[Applause]

IRAN:

She did a very, very good job, very honestly, very faithfully. And congratulations for your patience and your kindness.

I know yesterday you wanted to talk. You were so excited that the pen was thrown out from the head table. So thank you very much. But we need to have fill the gap. There are many gaps that exist. We have to fill that. There are other areas, other models. We have to take that. One model was referenced by some colleagues, by Canada. There are other models. We have to look at that. But we have to see all possible ways and means.

What we know very clear from now, we should not allow any more voting by e-mail disclosed before the voting. It could be voting by e-mail, but should not be disclosed before the voting, because that should be -- serve as a sort of maybe not appropriate use, sort of publicity for some members and so on and so forth. People could vote by e-mail, but, in fact, it should be online voting, but not voting by e-mail. Online voting.

So there are many other points that you have taken. And I request that the secretariat, when they issue this document, it be subject to some comments and subject to some contribution, and we have to try to do that.

Lastly, I understood -- please correct me -- that you would not participate as the chair or would not chair the next meeting in Marrakech. So we have to also clear that who will be chairing that meeting, very clearly. Practically, we know what we have to do. But at least we have to put it on a paper that the situation, circumstances command us or guide us that who would chair that meeting out of the current principles, so on and so forth. That also should be clear in the outcome of this meeting.

Thank you. Congratulations to the vice chairs.

CHAIR DRYDEN:

Thank you very much, Iran, for that.

Regarding the report, it's not a report for us to negotiate on. It's really a report from the secretariat. So I would like it to simply be a record of the process. And it can be used, of course, for us to refer to in the future.

All right. Next, I have Trinidad and Tobago, please.

TRINIDAD-TOBAGO:

I'd just like to add my congratulations to all the vice chairs and those who also participated in the election and were not successful.

I would also like to say that as the Caribbean, we sent out a position prior to the election about geographical rotation and geographical representation that we still stick to and we wish to have consideration

for. There may be a temporary solution. And I'd like to propose that in GAC operating principle 23, there's a note that says the GAC may designate other officers as necessary. And if there's a geographical issue that we are encountering, perhaps the GAC may choose to use that operating principle to modify or ameliorate the situation quickly.

Thank you.

CHAIR DRYDEN:

Thank you, Trinidad and Tobago.

I have the Netherlands next, please.

NETHERLANDS:

Thank you, Heather.

Just three points. Also, I would like to congratulate the new vice chairs, which was a very -- I think it is a diverse group. There are new people, which are -- with a lot of ambition and drive to work with the GAC.

I think a second point is about the composition of the vice chairs, amount of vice chairs. I think as a priority for the Netherlands, it's to change the operating principles accordingly to the regions we have in ICANN. It means that it should be extended, really, from three to four.

Thirdly, while I appreciate, of course, the principal points about the regional versus members -- sorry, versus countries, unfortunately, this has no impact at all on these elections, given the numbers that we have seen in the elections. So I think this is -- in that sense, it had no material impact.

Thank you.

CHAIR DRYDEN: Thank you, Netherlands.
Lebanon, please.

LEBANON: Congratulations to the new team. I reiterate the need to -- even during this session, to appoint or elect or select somebody from the missing region.

Thank you.

CHAIR DRYDEN: Thank you, Lebanon.
I have commonwealth of the Dominica next.

COMMONWEALTH OF THE DOMINICA: Okay. Good afternoon. I just want to support the position taken by Trinidad and Tobago. I believe it's -- the article or principle 23 can be amended to facilitate the Caribbean region. And having said that, we congratulate Argentina on its position. But I am in total support of Trinidad and Tobago on that principle.
Thank you.

CHAIR DRYDEN: Thank you very much.
Next, I have Singapore, please.

SINGAPORE: Thank you, Chair. And, first of all, we would like to congratulate the new chair and the three vice chairs to the GAC.

I think in this round of elections, regrettably, we didn't see the -- one of the vice chairs coming from the Asia-Pacific region. And it's regrettable. We certainly support the principle of geographical distributions. And we would go along with the proposal to increase the vice chair from three to four if there's any revision of the operating principle. I think this will make sure that, you know, the regions -- the interests of the various regions are adequately represented at the GAC.

Thank you, Chair.

CHAIR DRYDEN: Thank you, Singapore.
Argentina.

ARGENTINA: Thank you very much, Chair. We speak in Spanish.
I would like to thank the support I received from all the colleagues that voted for Argentina to take the vice chair position. This is, indeed, an honor and a huge responsibility not only for my country, but also for myself.

I would like to say that having a Spanish-speaking person in a leadership position is very important for our region. In the GAC's history, there was only one Spanish-speaking vice chair. So this is very important in order to include Spanish-speaking countries and

Portuguese-speaking countries, because the language barrier is quite significant in some environments. And as I said in my presentation this morning, ICANN has made great progress in terms of language services. However, in terms of communicating among our colleagues in the different regions and in terms of inclusion and engagement, language in our region is really important. So, once again, I want to thank you for your support.

I would also support the idea of having five leadership positions so that all regions are represented.

Thank you once again, and congratulations to my fellow newly elected vice chairs. Thank you.

CHAIR DRYDEN:

In the back. Yes, please, go ahead.

If you could introduce yourself. I'm sorry. I -- I'm not sure which government you're from.

Yes.

EMMANUEL ADJOVI:

Emmanuel Adjovi from Francophonie.

I want to congratulate the entire leadership team, the chair and the vice chairs. I want to congratulate them on this recently conducted election. Congratulations on that, and also on the discussion that we have just had, because I noticed that in the outgoing leadership team, Africa was not represented. And that generated plenty of debate. Now another region is involved, and again plenty of debate ensued.

We have to encourage debate and discussion so that all regions are represented.

Thank you.

CHAIR DRYDEN:

Oh, there are. Sorry. So I have U.K. and Vietnam.

U.K.

UNITED KINGDOM:

Yes. Thank you, Chair.

Yes. Thank you, Chair. And congratulations to the successful candidates for the vice chair positions.

I just want to clarify what we are considering here in terms of expanding the number of positions and ensuring geographical representation, which I fully support. And also I'm very pleased that there is gender balance in the new leadership. That's very satisfactory as well. One of our considerations was, indeed, gender balance, as well as geographical representation.

But I just wanted to check, are we considering regional elections to ensure there is geographical representation? And, of course, that could be instituted for the vice chair positions, but would -- but for the chair position, that would be fully open to candidates from all regions. So maybe I'm sort of jumping the gun and trying to anticipate how we amend the operating principles, but I just sort of flagged that. I mean, you can expand the number of vice chairs, but that's no guarantee you

get geographical diversity, of course, if you don't move to regional elections.

Am I understanding the situation correctly?

Thank you.

CHAIR DRYDEN:

Thank you, U.K.

Next, I have Vietnam, please.

VIETNAM:

Thank you, madam Chair.

Good morning, colleagues. I would like to join as a colleague to congratulate to the new chair and new vice chairs.

I would like to share my thoughts in the chair and vice chair election. Actually, as I -- in my opinion, chair is a person who serves the GAC, who chairs the meeting and work with as the community, include ICANN on behalf of GAC. Vice chairs are the persons who support the chair. So here, chair or vice chair, I think it is good if they are -- represent different region. But the most important is that they work on behalf of GAC. And GAC is a consensus. So we -- each vice chair, I think they don't -- they don't work on behalf of their regions, but they work on behalf of the GAC. So the most important is that they have the ability to work as a person who can chair and who can lead some issues and some business of the GAC. If that matter that region is a concern or not. So I think one thing here that is in this election process that I have been wondering is that it can be better that all the nominees to be a chair or

vice chair, I don't see that they have good introduction in front of GAC. Actually, I just see some very short introduction through e-mail, like on GAC, from (indiscernible) objective and plan to be a vice chair I think is very impressive. But for other nominees, I don't see -- or maybe very few introductions. So from Vietnam, frankly, I don't understand all the nominees. So I think it's better next year if we have a very short section in which each nominee can introduce themselves and plan to be a chair or vice chair, we can have better choice in elections.

Thank you.

CHAIR DRYDEN:

Thank you very much, Vietnam.
Egypt, you're next, please.

EGYPT:

Thank you, Chair. And just very quickly, I would like to add my congratulations to the new chair and vice chairs.

And just to echo what has been said by colleagues from the Asia-Pacific region, Egypt would support accommodating their request, particularly if supported by the operating principles as clarified by Trinidad and Tobago.

Thank you.

CHAIR DRYDEN:

Thank you for that, Egypt.

Japan, please.

JAPAN:

Yes. Thank you, Chair.

(indiscernible) also that we would like to congratulate the new chair and three vice chairs to the GAC.

But also I think in this round of election being regrettable we didn't see the vice chairs coming from the Asia-Pacific region. So we support the principle of the distributions, and we would go around with a proposal to increase the vice chair from three to four if there's any revisions of the operating principle.

Thank you.

CHAIR DRYDEN:

Thank you, Japan.

I do want to put a pause on this exchange here now, if I can, so that we can move to the next item before we break for the lunch period. But it is clear that there is a lack of clarity, and we need to find a way forward on two points. So in terms of the regional balance -- and I'm hearing "balance" more than "representation" in what you're saying. So how can we have the best balance possible among those that are elected as the officers for the GAC. And then the other issue is increasing the clarity around issues related to membership and how it's defined, and this relative to observers and such issues like this.

So what I would like to do is come back with a way forward on that so that work can be carried out on those two issues. And hopefully we can

address the issue of regional balance, well, as quickly as possible. Because I am hearing that -- that colleagues very much want to see that matter addressed.

I recall that the proposal we heard when we started our meetings when the secretariat outlined for us the elections process and how it would operate was explaining that -- how we had decided to not try to increase the number of vice chairs in time for these elections, because when we arrived here, of course, the elections were already under way, and it just became a bit too complicated. But if I recall correctly, there was a proposal to come back in Marrakech with a proposal with a paper to have a discussion of this matter, and then to find a way forward so that this could be addressed before we meet -- before we need to have another election. And it seems to me that that might be a good vehicle for addressing both of these issues or lack of clarity. But I'd like us to have the lunchtime to maybe talk about this a little bit, and then come back so that there's better clarity about this and we see a way forward. But thank you, everyone, for commenting on this. I can see that it's something that you all consider to be really important to deal with questions of regional balance.

So Namibia, please.

NAMIBIA:

Thank you, Madam Chair. I don't want to let this opportunity pass me by to make my maiden speech, actually, at ICANN 51. Thank you very much.

And also to just use this opportunity to say a few words about the elections. I do appreciate the comments made in terms of the -- the regional representation and considering the operating principles and so on, and I think my work is cut out for me here. But I very much like the comment or the intervention of Vietnam.

I do believe that we operate as a unit, GAC. We have collective responsibility. And we are unified in our approaches. So from whichever country or region we are, we serve GAC.

So I liked that intervention, and I would like to live that out in the next year.

So I want to congratulate my fellow colleagues and chairperson.

It is with appreciation and a sense of duty that I accept your mandate to guide the GAC for the next year.

I'm proud that Africa features in the top civil -- top servants of GAC, mark servant, and that is due to your unwavering support that we appreciate. I'm sure that the trust and confidence that you placed in me will be an inspiring for me to go far.

According to the African proverb, if you want to go quick, you go alone. If you want to go far, you go together.

We are together with that. We are actually pioneering (indiscernible), I just thought about it, since we are at the brink of the next phase of Internet governance evolution.

Of course, looking at September 2015.

Prioritization, as I've picked up, will be the golden thread and navigational tool that will bring us to this sort of after evolution.

In going about our task, I hope to cement our Ubuntu spirit in the work of GAC and ICANN. The African Ubuntu spirit reads that we are what we are because of you.

So because of you, ICANN will become a truly global organization. Because of you, ICANN will achieve full house representation and status. Because of you, IANA stewardship transition will be effective. Because of you, ICANN accountability will be enhanced. Because of you, more community and developing country applications will feature in the next round of gTLD applications. And because of you, I am impressed by us not only striving to achieve, striving to achieve geographical representation, but also we have achieved gender representation.

Thank you very much.

[Applause]

CHAIR DRYDEN:

Thank you, Namibia.

Okay. So we will come back to this with more precision around the procedural points.

If I can, I'd like to move to the next section.

Switzerland.

SWITZERLAND:

Thank you, Madam Chair, for giving me the floor. I will not comment on this. I think everything is said.

Just one question with regard to paragraph 26 that says, "If a chair can no longer perform its functions," then what happens. I think we need to clarification here. When do we discuss how we go on? I just wanted to know when will we come back to this issue about the next meeting and the time until the next meeting?

Thank you.

CHAIR DRYDEN:

We can come back to this after lunch. So this is another thing that I hope we can settle over the lunch -- the lunch period.

Okay. So next we need to do just a quick overview of what will be the headings, what will be the topics that we include in the communique.

This is not to renegotiate what we decided earlier in the week and is not to propose GAC advice if it was clear that we weren't going to be able to propose or agree to GAC advice at our meetings here.

So it's really meant to just confirm so we have a shared understanding based on the draft communique that's been circulated.

I think there have been a few versions. So I have one of the versions in front of me to guide but I am aware we'll need some updates from the small groups that have been working. One on the matter of the principles to apply to the stewardship transition. The other is in terms of -- and to also apply to accountability. And the other is safeguards, GAC safeguards and implementation aspects of those safeguards. So I will be asking for those reviews.

I will not cover the first section of headings because the interconstituency activities are really just a record of our meetings with other parts of the community, and we should be able to agree to that in quite a straightforward manner.

And then if we get into the GAC advice to the Board section, and we discuss, first of all, the principles.

So if I can ask Australia to give us an update on where you are with those principles, please.

AUSTRALIA:

Thank you, Chair. And thanks to all those members who have been --
[Momentarily no audio]

-- done communique drafting before, and many of you have, we appear that we have the risk of being the victim of our own success in that we now have quite a lot of text on the principles that could relate to the IANA transition and accountability work.

So one thing that has been discussed with a small number of colleagues, and I would ask other colleagues to think about this over lunch, is that we potentially could have a short, very high-level statement in the communique of some very broad overarching principles that the GAC would like to consider or like to have considered as part of these processes. That's something in the communique. Very high level.

And then we have the document that we have been working on, still to potentially be refined and slightly shortened, I expect, that is not in the communique but the GAC agrees to as a draft interim to still be worked on and evolve in the future document that can help guide those GAC members who are participating in real time in the processes.

So -- And what we also discussed is there are some things that it appears we have agreement on, or there's a common agreement on. Like things the need for an appropriate redress mechanism, some sense that governments are an important stakeholder in ccTLD decisions, et cetera.

There are some which are probably going to be more complicated. And in those cases, the European group, which we circulated -- the document has been circulated to the GAC list, has come up with what I think is a very useful formulation.

Rather than having those ones in principle language, what we have is agreement that there are areas where, clearly, attention needs to be focused.

So the GAC could say in these areas, the GAC representatives and the community more broadly will need to look at these, and we don't necessarily prejudge an outcome from the GAC side.

So if colleagues could think about whether that's a useful formulation. I think there's a sense that I get that we think it would be useful, or many people think it would be useful to come away from here with something, particularly as many of our -- some of our GAC members will be participating in these processes.

So something very brief for the communique. And I think that's necessary, because it takes time. And something lengthier as guidance. And with an open acknowledgment that we're going to keep evolving that. Things may come, in things may come out, and some things that are in there are just pointers to issues rather than principles as such.

So I put that out there for consideration over lunchtime.

CHAIR DRYDEN:

Thank you, Australia.

Okay. So this is something we will come back to, hopefully, with some idea of how to proceed, at least for today, for the communique, and after.

Iran, did you have a comment on that?

IRAN:

Yes, Madam Chairman. I have not seen this very high principle. And if you go too high, we may fall down. Don't go too high. Stay on a level that we could implement that. Very, very high principle remain high principles and that's all. Declaration. We're not going to make declaration. We have to have something.

Madam Chairman, accountability for us is more important issue, and we have to clearly mention that we need to have an appropriate mechanisms to ensure that accountability has been properly implemented. Whether it's high or whether it's low, whether it's medium, that is something, and so on, so forth.

Now, coming to the issue of the group dealing with the accountability. I'm not dealing with the group of naming. Group dealing with accountability. We don't know the participation level of that. How many members it have? In the document it says 21 members, seven advisor, four expert, becomes 11, and then ten remains. And what is the share of GAC within that ten people? One? Two? And what?

So we don't know. The group going to sit down and look at the accountability. They could take input document from the RFP 1591 plus the Affirmation of Commitment and do anything else and add that one, take the necessary element. And that is important and we should have sufficient and adequate participation in that group. Once again, I'm not dealing with the group which our colleague from Thailand and Norway. That is another one. I'm dealing with the main group of accountability.

It is not clear the organization of that group, and how GAC will be represented or has the opportunity to participate in that group, in the organization of the group, in the charter of the group, and in the path of the group. This is not clear, and we could not leave this ICANN 51 or GAC 51 without having any clear indication about that.

It is quite vague. I mentioned something the other day the chairman of ccNSO asked. Confirmed that we have more or less the same arrangement of ICG, but I understood from others now they will not be like that. There will be something quite ambiguous, but we don't know how GAC will participate in that group, at what level and what aspect. That should be quite clear.

Thank you.

CHAIR DRYDEN:

Thank you very much, Iran, for that.

So we have the issue of the principles, which we will continue to work on and hopefully discuss over lunch. In terms of the way forward, I received an invitation today to the GAC to designate two people from the GAC to join to draft the charter for the Cross-Community Working Group on accountability. So I hope that puts in clear terms the ways in which the GAC can contribute to that effort. So it was the chair of the GNSO Council, Jonathan Robinson, he sent me a note this morning about that. And as I say, we can designate two to join the drafting of the charter. So that's a way for us to be participating from the very beginning of that should we wish to do that.

So anyway, that information can be circulated to you so that you have the latest on that.

So that should cover the principles, at least for purposes in this session. If we can move to safeguard advice. I understand there is some text that has been worked on by that small group of interested parties.

Okay. So when -- So when we update the communique for this afternoon, it will include some text, okay, on safeguards. Thank you for that.

All right. So we have some text proposed here on the issue of the different rounds of gTLDs and the work plan and so on and so forth. So if there is something key missing, now would be a good time to flag that.

We do want to keep our communiques short and to the point, but also hitting all the main points that we agreed and not leaving things out. So in this discussion now, if there are things missing, this would be the time to highlight them.

So I have Argentina and the European Commission.

ARGENTINA:

Thank you, Madam Chair. We would like to be reflected in the communique that the working group on geo names will keep on working and there will be a next open session in the Marrakech meeting.

And also the proposal made by Argentina about revising how to participate more actively in the NomCom has received a lot of support in the list, so I have requested the secretariat to prepare a list for working on that. We would like a small mention about that; that we will start working on that issue.

I can text prepare, if you want.

CHAIR DRYDEN:

Thank you, Argentina. We've taken note of your suggestion and we can provide an update via the community since that was an exchange with the community to keep everyone informed about those efforts.

Regarding the NomCom and the possibility of creating a working group, there is a reference to the NomCom from the BGRI discussion reflected here. And then in terms of forming a working group, there does seem to be a lot of support for doing that, so we can do that and handle that via the minutes and our work plan and that kind of thing internally. I think that will probably cover that. Item off. Okay.

All right. So next I have European Commission. Please.

EUROPEAN COMMISSION:

Yes. Thank you very much, madam Chair.

We would like to add some text on the consistency of the community priority evaluation process. We have a very short and succinct and useful text which we can propose to you, and there seems to be a

ground swell of acceptance for such a text. And we would like to propose that in this -- I think this is probably the best place to put it.

Thank you.

CHAIR DRYDEN:

Thank you very much. I do like short and succinct text at this stage in our discussions.

So if you can send that to Tom, then he can include that in the next version of the communique.

Okay. Next I have the Netherlands, then Australia, then Peru, and Denmark.

NETHERLANDS:

It was already said by Commission. Thank you.

CHAIR DRYDEN:

Australia.

AUSTRALIA:

I'll try to be equally brief.

I'll chat with Olga and potentially Tom off-line in terms of the way that the geo names update is reflected.

I think we should talk more about -- We talked about in that session the process and potentially broadening it to be more community-based

rather than GAC-led, so to speak. So as soon long as we get that nuance in.

CHAIR DRYDEN: Thank you. All right.
Peru, please.

PERU: Yeah, I would like to speak in superb, first of all.

I would like to go back to something that I mentioned in our meeting in London, and I would like to propose to include a paragraph in this communique related to the creation of a subworking group or a working group dealing with generic domain name registries that are directly related to piracy, to names that reflect a community. And I would like to make a contribution in that respect.

CHAIR DRYDEN: Thank you, Peru.

Okay. I'm just reminded that tomorrow morning we will be discussing the work plan and the way forward. So some of these issues or aspects of these issues can be covered tomorrow morning. So if we can identify what we need to include in our communique to communicate to the Board, and then what are discussions we need to have to form working groups or confirm them as part of a work plan going forward, perhaps we can handle those discussions tomorrow when we have our organizational meetings, our GAC organizational meetings.

Okay. All right. So next I have Denmark, please.

DENMARK:

Thank you. Just to flag that we have sent out a small amendment to the text that relates to the review of the first round of new gTLDs and preparations for the subsequent rounds. It's in paragraph A, and we've circulated it to the list and to the secretariat.

Thank you.

CHAIR DRYDEN:

Thank you, Denmark.

So that's fine. If you can just make sure Tom has it for inclusion. Yeah, that's fine. He's nodding. Then that helps us manage the information flow. We no longer have the back and forth while we're trying to compile the communique. It's unmanageable. So just helps us stay organized.

Okay. All right. Well, I'll keep going through -- through the draft communique that I have.

So something on WHOIS to capture the point about what we need in order to target our energy, target our efforts on WHOIS.

United States, did you want to comment on WHOIS? Next?

UNITED STATES:

Sorry, thank you, Madam Chair.

I'm happy to comment on that, to sort of offer some proposed edits to perhaps tighten up the text and have it a little more sharply focused as to what we think we need and what we think we may have heard from the Board in our exchange that they would welcome some input from us in terms of helping them. And of course they, then, need to bring in the broader community; do a little bit more work on ranking priority issues, so that we can just manage our workload a little bit better.

But I did want to -- While I have the mic, and my apologies, I'm going a little bit beyond. Earlier, I think it was yesterday, I sent the secretariat text on the two-letter -- two-character issue, which is not in the version you have now, but it will be in the one that comes out subsequently. And I wanted to ask, for purposes of -- during the lunch break, since the working group on principles has, in fact, put in an enormous amount of effort and there is a fairly lengthy text if it would be possible to get a hard copy of that so we can be thinking that through as we take our short lunch break.

Thank you.

CHAIR DRYDEN:

Thank you, United States.

Okay. So those edits, you will send to the secretariat, if you haven't already, to the section on WHOIS and the release of two-character names. And it sounds like it reflects what we discussed or is to bring the text in line with what we agreed to include here in the communique.

All right.

Human rights and ICANN. We have some text here identifying that this is something where the GAC will continue some discussions. So please consider -- consider this text here, and if there's anything to advise us about in terms of more precise elements of how we contribute to that, then the community session today at lunchtime might be informative there, and perhaps we can handle that as well tomorrow morning when, again, we're having our organizational meetings to prepare for intersessional work and for the next meeting in Marrakech.

Accountability and transparency. We have some text here proposed. And -- And I did want to raise a point. I went past them. Apologies for that.

Text on protection of IGO names and acronyms. We haven't agreed to include anything here. The update that we received was really about engaging in the small group, so I'm just wondering what is the -- what is the reference that we would include here? What we be trying to say as a GAC on the protection of IGO names and acronyms? Is it to reemphasize what we have said before? Is it to -- OECD.

OECD:

So this morning we sent some text to Tom. I understand it will be circulated in the next draft. I think it's important to reemphasize previous GAC advice as well as to offer some guidance on what sort of mechanism should be available to allow IGOs to have recourse in the event of conflict with names and acronyms. And then I think it's also important to mention that there is now the possibility for increased

communication between the group of IGOs in the GAC and the GNSO through the NGPC. And the draft language will work like that.

CHAIR DRYDEN:

Thank you, OECD. This goes beyond any discussion we've had this week, and at the beginning of the week when you requested that there be an inclusion in the communique to actually talk about specific elements of the mechanism, to hopefully be identified to address this issue satisfactorily, I explained that we would not be getting into substance in our meetings here, and we would not be including that kind of information in the communique simply because we're not going to be able to have that discussion about substance and come to agreement about it.

The GAC has given advice. This is still the base of the ongoing effort to come up with a solution. At the most, we could refer to -- to the GAC and the IGO's willingness to contribute as part of this effort. An ongoing effort, but in this smaller group to come up with guidance to help the GNSO in considering whether to go back and look at their policy again.

But I don't anticipate us being able to agree to or to say any more than that. We already have a solid body of advice and a lot of history as well to take into account.

So that is an option for us to consider, to affirm our willingness to continue via the process that we heard about in the informal meeting on Friday before we began our GAC meetings. So I hope that is clear.

OECD.

OECD:

Thank you, Madam Chair.

Just to be clear, it is, again, very important that we reemphasize previous GAC advice on this. It's crucial that language is reflected in this communique that states that the GAC continues to reaffirm its previous advice as we have done in the past.

Any language about mechanics is just an effort to capture the previous GAC advice on a slightly more granular level.

CHAIR DRYDEN:

So what I'm hearing is a proposal to reaffirm advice without listing that advice and without getting into the substance, plus perhaps expressing our willingness to continue to engage and to come up with a solution. All right.

So Tom is taking note of that, and we'll come up with some text when we reissue the next draft for the communique when we come back this afternoon.

All right. We need to move on.

All right. The other issue that I moved past inadvertently was the protection of Red Cross/Red Crescent names.

The text here is text that the secretariat has come up with, and it's to reflect the most recent information we received in our exchange yesterday with the Board where there have been some letters sent back

and forth, and it does seem to be good news for us in terms of protecting Red Cross and Red Crescent names.

Okay.

So those are the headings and key points for inclusion in our communique. If there is anything else missing, if you can flag it now.

Okay. So we now have our lunch break, and just....

Okay. If we come back at 2:30, please, from lunch. And at that time, as I say, we will have a revised draft on the basis of what I have summed up and confirmed in this discussion. And please have a discussion about the elections process and issues under the header of regional balance in the GAC related to elections, and think about the principles document, which we will provide to you in hard copy when we come back.

So how to move forward on the principles document.

Okay. Thank you.

[Lunch]

[END OF TRANSCRIPTION]