DURBAN – GAC Meeting with the ICANN Board
Friday, July 12, 2013 – 09:00 to 11:00
ICANN – Durban, South Africa

STEVE CROCKER: Welcome, everybody. Good afternoon. This is the culmination of our -- of the board's interactions with various groups during the constituency day.

And the board has been locked down in Hall 6. So we appreciate the opportunity to stretch our legs and come here.

I'm going to turn things over to Heather first with a piece of extraordinarily good news and then with organization of our time here.

HEATHER DRYDEN: I just had to confirm what the good news was. I understood that. So I think we can have a short meeting today and conclude by 6:00. And we're just going to confirm that the Board/GAC cocktail to follow this event is going to be ready for us if we do finish early. So we're thinking through all the -- (applause) -- steps here.

Okay. So we have a few topics that we'd like to raise. And then, in some cases, we're looking for some sort of reaction or update from the board side. But we just want to provide some sort of indication of where we are in thinking about two items of relevance to the new gTLD program committee. As many of you know, we have been asked to engage with our colleagues in the committee and enter into a dialogue with them on the category 1 safeguards that we provided in the Beijing

Communique as well on the issue of protections for IGO acronyms at the second level in the current round.

So I will just say a few things about that.

And then we would like to have a bit of discussion and hear a bit more about the strategic planning panels that were announced yesterday. So, if, perhaps, Fadi would be good enough to give us a bit of an update about that and then we have a question or two about that. And as well we will touch a bit upon the accountability and transparency review team as we did have a really good discussion with the review team while we were here this week as well we will just raise a point about global stakeholder engagement and internationalization, if, in fact, they are the same thing.

And then we have a question that relates to string confusability. And it's not clear whether the GAC will have more to say about singular versus plurals, but we do have a single question associated with that. And then just an observation about geographic top-level domains or what we are calling geo names and some things that we have identified in the course of our discussions about that in the new gTLD program. And then just a point to raise regarding the RA and RAA from the perspective of an ongoing concern that's been identified there.

And as well we will be asking you about dotless domains and what you think about that issue.

So, assuming we have your continued agreement on that, just to say, first of all, on category 1, safeguards and the invitation to have a dialogue with the new gTLD program committee, we'll take some time

while we are here to work out the precise modalities for continuing that dialogue. And, of course, in doing that, we're wanting to weigh out what is practical and what is -- can reasonably be accomplished and how we can work with the board and its new gTLD policy committee on that.

So we haven't worked out exactly how we're going to do this, but this is what is under consideration. And so we hope you will keep that option open to us to work out those details. I don't know whether there are any further comments on that at this point, but I can move on to --

STEVE CROCKER: You want to do them in this order, or just plunge right in?

HEATHER DRYDEN: Okay. All right. So that's all we had to say, I think, at this time from the GAC on the safeguard 1 advice and the invitation to enter into dialogue. I don't know whether the board has anything to say on that. Okay. All right.

And then, regarding the protections for IGOs at the second level in the current round and specifically a way to be responsive to the concerns that they have regarding acronyms, the GAC would like to work with the new gTLD program committee and look at a system of notifications and related issues to try and find a solution on that. So I hope that is positive news for the gTLD committee as well as our efforts with the IGO coalition on that.

So next issue, I think the EU Commission, you wanted to raise about the strategic panels. We wanted to request an update. I don't know

whether you had anything further to add other than asking for an update on that.

EUROPEAN COMMISSION: I think it's a very interesting exercise that you're going through in this thinking process.   And we would like you to give a few more specifications as to how this would work. We have to one year, 100% transparent, no decisions, we got that.   What's the timeline, composition? How do the seven interact with the wider community? How do you see the GAC being involved in this debate? So that will be interesting for us to elaborate on, please.

FADI CHEHADE: Thank you.

The five ICANN strategy panels are here to inform our strategic planning process as well as our operating planning process.

The strategic planning process, as we said, should end by the end of this year to be followed by a 3-year operating plan, which is a more in-depth view as to how we will achieve our strategic plan for the next three years.

As we were getting feedback from the community, we came to the conclusion that there are five areas that will require what I would call in-depth platforms to resolve, to discuss and resolve as a community. So we identified them, and we formed these panels to do that.

We needed for each panel a leader. We call them the chair of the panel. And we needed to make sure the panel is embedded into the

community and includes people from the community but at the same time that the panel is able to draw on the expertise of people outside the community as well in order to ensure that we don't have an entirely inside-out view of how we proceed on these issues but also an outside-in view.

The panels -- the chair of the panels were selected by myself in consultation with many, many people over the last few weeks. And, frankly, they were chosen for their ability to really bring the community together around these difficult issues, these five difficult issues.

We set a time limit on these because we really wanted them to inform the strategic planning and operations planning process, which should take us probably the next year at most. So that's why we set them at the one-year limit. And, frankly, we're encouraging them not to last for a year, if they can get their work done in, hopefully, three months, four months. It's an outside limit.

We're supporting each of these with staff and young research fellows. So, for example, Paul Mockapetris's panel on the future of identifier technology will have two research fellows from UCLA and MIT to support that effort. So we're building a team behind them, so we give them also the support. We're also providing each of these its own Secretariat. So there's a shared set of resources, but Secretariat functions. We're also finally providing each one with an executive sponsor, someone on my team who is an executive who will ensure that the work that is being done in that panel is tightly integrated with these functions within the ICANN community.

And the second executive sponsor, who is Denise Michel, she will make sure that the work happening in this panel is tightly fed into the strategic and operating planning processes.

So we thought quite a bit about this. And, frankly, we went back and looked at prior committees and panels that ICANN set up. We learned from them. We learned what worked. What didn't work, and we intend to ensure that these panels are well-supported.

Now, of course, the big question everyone is asking is how will you fill these panels? How will they be filled?

Ultimately, the decision on the final list of people that will be on each panel will be made by the chair and myself together.

However, we are taking input from the whole community as we speak. I've received tens of names since yesterday of suggestions for people who we believe would be helpful for these panels. And we will absolutely -- we are compiling this list into a spreadsheet, and we're asking each person to tell us exactly how they will help that particular panel.

But I want to emphasize the fact that I wanted to keep these panels small is so that the panels don't end up cocooning themselves and thinking that they have all the answers. So from the beginning we will insist that these panels engage with the community. In fact, one of the ideas that came out yesterday is that each panel must start its work by having a community town hall meeting virtually and -- you know, either virtually or in live and listen to the community and take input and do the same thing half way and do the same thing at the end of their work so

that the community is fully involved from the beginning to the end in the work of these panels.

And, finally, I want to emphasize -- unless you have other questions on this -- that these panels are not decision-making panels. They're not decision-making panels. They are informing. And their work will not come to Fadi, not to me, not to the staff, not even to the board. Their work will be entirely transparent, from the beginning, throughout, and will be very much work for the community to use in informing itself on the strategic and operating plan.

You did ask me about the GAC and interaction with the governments. We have absolutely no limit on any government that wishes to be represented on these panels. So, if it's helpful, if governments would like to have presence on these panels, that's fine. If they would like to be consulted, we can consult with them. The panels are prepared and have staffing to do that.

We need your input. Your input is very, very important. And there are two or three of these panels that I believe are directly related to the work that governments and the GAC do. So we very much would appreciate that input. I hope this is what you were seeking.

HEATHER DRYDEN: Follow-up? Yes.

EU COMMISSION: First of all, I should have congratulated you on the efforts made. I think it's essential that you do this exercise.

But a follow-up question is you mentioned this de-cocooning, if you like, and not working in a cocoon. And one thing that's not clear is how do you work within the ecosystem. One thing to say there and everyone can contribute. You use the objective, if you like, competing, parallel exercises going on in the ecosystem and so on the same question.

So my question is how do you interface with these sort of debates going on? So, it's not a one-way traffic but a two-way traffic. That was really my question. And one would include your own ATRT team, for example. How does that affect? That would be of interest for us as well to know. Thank you.

FADI CHEHADE: This is an excellent question. And I do believe that the chairs and I have discussed that the -- we must structure how these panels are interacting with other bodies inside and outside ICANN. I'll give you one example.

The panel on technology that Paul will be leading, I specifically didn't want to hire a CTO for ICANN. Because a CTO at ICANN means that ICANN is defining the technology roadmap, ICANN staff. And that's not our role. We are here to coordinate all the efforts in the community and in sister -- in friendly organizations like the IETF and others. We need to work with all of them. So one of the first things Paul will do is actually establish quickly linkages with all these other bodies that will inform his panel as well. In fact, we are launching his panel at the IETF in Berlin in a couple weeks just to make the point this is not about ICANN isolating itself into that dialogue but rather embedding it and completely imbuing it of the opinions of the other structured bodies including ones set up by governments, for example.

I know that the panel that Beth Simone Noveck is going to lead on multistakeholder policy innovation is planning to connect with the new observatory that the EU has set up as a place to also inform and be informed.

HEATHER DRYDEN: Thank you for that. Denmark, you have a question?

DENMARK: Thank you very much for the explanation. I just have one question, because I think it looks very promising and very useful of you to engage in this process. But I just want specifically to know because, when you look at the timing, it seems like, you know, the conclusions of the accountability and transparency review team could actually found a basis for the work and feed into it so they could have some kind of a task of implementing the recommendations of the ATRT. Is that foreseen as part of the process, or how would that actually spill into the process? Thank you very much.

FADI CHEHADE: Yeah. I think that these two tracks cannot be just completely parallel. There will be intersections going on. And they will feed on each other. There will be things that will be coming out of these panels that I think the ATRT should look at and, frankly, vice versa. There could be already some brewing thoughts or directions or recommendations coming out of the ATRT that must inform these panels.

One might think why have all these things going on? I'll be candid. I have a very specific task to get a strategic plan done with the community and then an operating plan done with the community. And that's a very tight timeline. I know it. I understand it.   And I'm responsible for it. So these panels are the fastest way I could get some of these very complex issues addressed and inform this planning process quickly.

So I hope they achieve their goal. Thank you.

STEVE CROCKER: I sit on the ATRT2 panel, except this week when I'm doing other things. But there have already been communication with ATRT2 about the existence of what's coming and the pathway set up. Clearly, one could ask for an ideal situation in which 100% of the output from one is fed into the other and vice versa. And it's hard to arrange things. But the opportunities and awareness is already established.   And, you know, nothing will ever be 100% complete. But, to the extent that we can cross feed -- and then, you know, in the fullness of time, there will be an ATRT3, and it will look back on what these panels have done and what the ATRT2 did and then pick it up from there.

HEATHER DRYDEN: Thank you. I have Iran next, please.

IRAN: Thank you, Madam Chairman. Thank you, distinguished board member.

We are very pleased to meet with you. At least for me, this is the first time I am meeting with the Board in a most friendly manner that I have seen. It is much and highly appreciated.

I have a few small comments, or perhaps observations to make.

I understand that ICANN has a mission. It is properly mentioned in the ICANN bylaw.   And I understand that with this mission, you have objectives, and with objectives there are activities to be associated with objectives and there are ways and means how to implement those objectives and activities, which are largely within your operational plan. You call them operating plan.   I call them operational plan because some of them may not be operational. So....

My question is that first you refer to five specific topics. I want to know how these topics were identified, and who identified them, and whether the process for identification is a process that a dialogue back and forth that you get all the views that you expect in a topic that always you refer to your intervention in Dubai, you refer to intervention in WTPF in the full multistakeholder models.

My second question is that contact with the community, how the contact is made, and how the community are selected, and how frequently we meet or the person involved meet with the community. And then how at the end of those contacts, these results were put together and come up with the end results of that community consultation associated with that specific topic.

Sorry, it may be many question I raise, but you can reply that in a short manner.   Perhaps all of them you have considered.   But that's just

something because I have worked for many years for how we plan the strategic plan and how we do the operational plan. And I'm sure you have another one, that is financial plan, that you try to translate the strategic into operational, because without financial, you can't do that. You have the staff, you have the strategy but you can't because you don't have money. So you have to have that. So they are linked together. The three things are linked together.

Thank you.

FADI CHEHADE: First of all, let me just make sure I join my colleagues in extending our welcome to you. It's very good to have you here. Thank you.

I think your first question was how did we come to a conclusion that these are the five that deserve a panel. Because in a way, these five do not exclude discussion on anything else. Everything can be discussed, and the dialogue is open. But the way we came to picking these particular five was through the input we got in the Beijing meeting, and in Beijing when we opened the conversation, we also opened the Web site specifically for the strategic plan. And through that Web site, we've been receiving hundreds of comments from community members sharing their views as to what's important.

As we look at this, the analysis the staff did was that these five areas remain requiring more in-depth community dialogue; that we cannot simply come to some recommendations on them to build into our strategy purely by having more comments. We needed to bring some

expertise and some knowledge and some focus to them. That's how we picked these five.

The second question you asked was how will these panels function? You know, how will they convene, how often will they convene, how will they report.

Just to be clear, everything we do at ICANN, and including these committees, is completely transparent. So the meetings will be announced ahead of time. The panel will hold its meeting. Transcripts will be kept for everyone to see. And the decisions and resolutions will be immediately published.

I will drive, with the chair, a charter. And we published the very early charter on our Web site already for each of them on Monday. It's available. But the chair will meet with the panel and with the community to refine that charter and make sure it makes sense. And we will define milestones together.

So all of that is, frankly, put in place.

I think the key part of your question that I want to address was what happens with their final recommendations. This is important.

In the ICANN community, and in agreement with the community when I launched these panels, we made sure to clarify that their recommendations are not decisions, and they're not final. They are simply, frankly, more than recommendations. They're information frameworks that they can share with all of us to help us through the discussion on these five items. There's no decision made.

So I predict that maybe some of the things that they will come back with will require a policy development process, which our GNSO might need to undertake. Some of them may require additional debate and discussion with other parties, and we will do that.

But here at ICANN, everything will be done with the community fully engaged, especially when it comes to defining our strategy and defining how we achieve our goals together, which we will do.

So I hope I answered you, sir. And if there are further clarifications, I'm happy to offer them.

HEATHER DRYDEN: Thank you for that.

So unless there are more requests to speak on the question of the panels, I think we can keep moving.

Just to point out that we did have a really good exchange with the Accountability and Transparency Review Team as well in our meetings this week, and a number of points came up. And I'll try to give a bit of a summary of those key points, just to give you a sense of what we covered in that exchange.

So the issue of the need for transparency of financial operations and reporting was raised in that exchange. As well, the importance of having opportunities for developing countries as part of the new gTLD program. There were views expressed that that program could have perhaps been taken better advantage of by certain regions than it was, in fact, the case.

As far as broader issues than that, there was some discussion about the WSIS+10 process. So that's the World Summit on the Information Society +10, and the bigger picture and how important it is to communicate about the multistakeholder model and the role of governments and the Governmental Advisory Committee, and to be communicating successfully about that. And so there were a number of observations made about that broader environment on that.

As well, we talked about some of the things that have been put in place that have assisted us in growing in size, in membership. We are now up to 129 members. We just added one in the last day, so this is good to see. And certainly having things like interpretation available and fellowships has been tremendously supportive for the GAC in our efforts. So those are the kind of things we talked about.

As well, we talked about a GAC Code of Conduct, because apparently other parts of the community had been raising this, and there were some commence made that we do need to be open and be able to explain our decisions and to be transparent, very much in the same way that other parts of the community also have as an objective.

So that's just a little overview for you. If I've missed anything really critical -- I'm looking around the table in case other GAC members want to add to that list.

Fadi, yes.

FADI CHEHADE: Thank you, Heather. I think when you started, you said there were some questions about our budgeting process and about its, maybe, full

transparency. I just would like to clarify this point, because we've been hearing about this from a couple of places in the last day.

If you recall, I shared with you in Toronto that we took all the work of ICANN and divided it into a very clear set of four objectives, 16 goals under these objectives, and 154 portfolio projects under that.

We published that online. It is on the MyICANN Web site. And it's in real time. If an employee changes the status of a project, it shows up in real time for everyone to see.

New, effective July, for the first time we have also attached each of the 150-some projects to a budget number. So it's clear how much we're spending next year on each of these portfolios of projects, and the status and progress of these and also online, completely transparent. I see it and the community sees it at the same second. If an employee changes that status, all of us see it.

So I want to be clear on that. From a budget standpoint, we have maximum transparency at a pretty deep level within the ICANN budgeting system. And I hope if we can be even more transparent in any way, that we can get some guidance from all of you. But, frankly, we have made great strides in this year's budget to ensure complete transparency at the project level.

HEATHER DRYDEN: Thank you, Fadi.

Okay. Are there any other requests to speak on this issue?

Denmark, please.

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DENMARK: Thank you, Madam Chair.

Just I think you made a very good summary of our discussion, but just to emphasize that in our discussion, I think we put very much importance in this work, and we have a lot of expectations. And there was also a general feeling that the ATRT 1 had really given a very important -- sorry, the microphone is a bit weird -- very important input to the process and had actually made a lot of improvement to the work of ICANN. And, therefore, we have also expectations that the ATRT 2 will have similar effect. And, therefore, we think it's very important that there are -- that this work is undertaken with great care and that you also listened to -- attentively to the priorities that we wanted you to undertake. And, yeah, I think that was my point.

Thank you.

HEATHER DRYDEN: Spain, please.

SPAIN: Mr. Fadi Chehade, it's a pleasure to talk to you.

You have mentioned that the way ICANN has spent its budget is published, but I would also like to know if it's on the Web site, the sources of income for ICANN, and how it breaks down.

Thank you.

FADI CHEHADE: The sources of our income are on the Web site, but I must admit here that sometimes having something published on the Web site, it's one thing. Having easy access to it and clarity and communicating these things, we, frankly, have a ways to improve there. And we have just brought on board new communications staff to help us with that.

So I promise as we move forward, one need not dig too deep to find these things handily available to them. But yes. And as you know -- needless to say, you know most of our revenues come from the fees that we get from the registries and registrars. But we will endeavor to make a better communication of that if needed, as needed.

HEATHER DRYDEN: Thank you.

I see a request from Brazil.

BRAZIL: First of all, I would like to commend you, Mr. Fadi, on this initiative of creating the panels. And I would just like to emphasize that it will be important to have members of the developing world in all the panels that you are considering. Thank you.

HEATHER DRYDEN: Thank you, Brazil.

So I think we've covered the strategic panels that have been set up, and the ATRT. No, I see more requests.

So I have Uganda and then I think Iran.

Uganda, please.

UGANDA: I thank you, Madam Chairperson, and it's a pleasure to converse with
                             the Board.

                             I just wanted to have clarification specifically speaking as one from a
                             developing country.

                             We understand that the gTLD raised some amount of money, and we
                             understand it's being invested in -- yeah, invested very well, but we're
                             wondering, as you could see yourself, that developing countries, we are
                             not properly active in this round of gTLDs.

                             How are you going to ensure, using this amount of money that in the
                             second round the gTLDs, the developing countries are somewhat on
                             board or have -- are taking a part of that round?

STEVE CROCKER: Thank you very much for the question.

                             There's a couple of things that I want to try to keep somewhat separate.

                             Although there's a lot of money that's been raised, there's also a
                             projected use of those funds. And one of the things that we take very
                             seriously, and I have spoken quite vigorously about, is that, in particular,
                             because there's a lot of money involved, that we needed to be extra
                             careful in accounting for it, and reporting on that.

                             And we have, for now some time, segregated the funds and reported
                             separately on that. We are increasing and improving that process.

We're also very conscious that there is an expectation that some good fraction of those funds will be available for some other purpose. That is not currently the picture that we have financially. It may change over time.

If and when there is a surplus from that program, we've also spoken quite vigorously in the past, and will continue to do so, that we'll make a separate determination of what to do with those surpluses. And by surpluses, I'm talking about there may be monies that are left over from the use of the fees or they could be auction income. Some people make a sharp distinction between those. I'm putting all of those together in what I'm addressing here.

So the picture at the moment is that there is not a lot of money left over, but if there were, we would go through a distinction process for what to do with it. And I have no bias or prediction as to what the answer would be.

It could be that they could be applied for in the second round to help developing countries, but it could be that they could be applied in a variety of other ways. There's a, as you might imagine, a long list of ideas that have been presented and possible petitioners.

With respect to the second round, we did note that there was quite low participation from developing countries. We took a very limited action in allocating a small amount of money, $2 million, to facilitate applications from those applicants that might need it. Actually, only a couple of applications made reference to it. And in truth, an application for a gTLD includes a great deal more than -- the total costs include a great deal more than the application fee, because you have to have a

whole operation that -- where those funds don't come through ICANN but they, nonetheless, are substantial.

We're quite some distance away from formulating the next round, and one of the things that we'll do as we bring this round to a close, which we still have quite a bit of time before that happens, is we'll do an assessment of how this round went. And one of the elements of that assessment will be the -- I was going to say the success of reaching a full global involvement, but an evaluation of that process and a good consideration of the dynamics there.

HEATHER DRYDEN: Thank you for that. And I believe Fadi would like to add something about a related panel.

FADI CHEHADE: Yeah. I hate to bring us back to the panels, but if you recall, one of the five panels is called the panel on public responsibility. And so as the debate carries on about surplus, potential surplus, no surplus, we think it is wise, in parallel with that, for us to start the community conversation on what is the public responsibility framework of ICANN.

And if so, how does it manifest itself? What do we do? What should we be engaged in, if at all? And how do we make these activities really a service to our mission without leaving our mission, so therefore important to stay within our remit. But then how do we support the community in that regard. And as you know, the chair for that particular panel was chosen from Africa. It's Nii Quaynor who is known, of course, in Africa for his great and huge investment over the years in

the growth of the Internet in Africa. So we're very, very pleased with his acceptance. And again, in that role he will not be representing Africa, he will be really representing our community to start that dialogue. So hopefully that will help as well.

CHAIR DRYDEN: Thank you for that reply. So I have a request from Iran, and then I think we can move to the next topic. Iran.

IRAN: Thank you. We associate great importance to ATRT. It's very important for us. In fact, we view that as some sort of, let us say analogous to independent management Advisory Committee provide you either advice or recommendations but we take it more or less as an auditor, audits what you're doing, how you do the things, and provide recommendations. So the compositions and the way that they report back and the way how the recommendations are taken is very, very important. The reason why some of the recommendations are not taken should be in the process back and forth in order to enable them to provide further clarity when you decide not to accept that. But the important issue that we raised some questions yesterday, they were very open and very kind and we appreciate their efforts, but some of the questions we raised, at least I raised, they said that this is outside their mandate. So -- or outside their purview. So I would like to perhaps some of those questions that quite clearly are in the transcript could be reviewed, if possible, if possible, and also if possible extend the mandate that these issues will be -- these are very, very important and the independent manner they provide an answer. Also reviewed.

My second question is about the strategic plan before ending that situations. I think when we say one world, one Internet and come to the ICANN as the management of that, world is going too fast, technology is going too fast. Do you have procedures or process that the five-year strategic plan at least internally will be reviewed by ICANN each year to make necessary correction, adjustment, modifications to cope with the requirement and need of that. So although within the five years there are an envelope but inside the envelope you have the freedom to modify them to take into account whatever you receive. Otherwise, you cannot have the process being in proper manner. So just a point of clarity. It might be over there, but I want just to have an information. If it is there, sorry. I may not be involved. Thank you.

STEVE CROCKER: I know Fadi wants to give a substantive answer. I'll give a short version. Yes. Annual review, continual looking at the relationship between what's been planned at a certain point in time versus how the world is actually evolving, quite definitely and vigorously.

FADI CHEHADE: My boss spoke, so I agree with him.

CHAIR DRYDEN: Always wise. Okay. So let's move to the next topic. I think the U.S. has an observation or a question about stakeholder engagement.

UNITED STATES OF AMERICA: Thank you, Madam Chair. We were very lucky to have the time and attention of Tarek in -- and his team in Beijing, provided us a very helpful overview, sort of the game plan and the structure of the program. And at the time we did ask, since that team is engaging with governments, including with other stakeholders, I imagine, we asked them if there were -- if there were some printed material that they had prepared, the staff had worked on, to share with governments to engage with them, to encourage obviously new members. Our numbers keep going up, but, you know, it's extremely helpful to have the outreach to encourage new participants. And it turns out that nothing is in writing as yet, we learned in Beijing. And so that was a few months ago and we thought this might be an opportune time to say that the GAC is very keen to collaborate with this initiative. I imagine other members of the community have sent the same signals to the Board, whether it's a business constituency, a registry group, et cetera. So I think I'm not saying anything out of school with my colleagues here, to say that we're very, very eager to see what is being prepared, what has been prepared, and to see how we can be helpful. Because clearly, as you reach out to other governments, it's useful for them to be able to understand that there's an existing membership who can probably provide some useful insight as to how we do what we do. So it was just sort of to put the offer out there and to see if we could perhaps have a sense of a time when we might be able to review whatever draft documentation might be in the pipeline. Thank you.

FADI CHEHADE: Just to confirm, I'm not very clear if the question is about getting materials on our engagement with all stakeholders to be shared with

the GAC or engagement with government stakeholders and share that with the GAC. Because these are -- even though they're part of the same team, they're just vastly different documents.

UNITED STATES OF AMERICA: Well, if I may, and I'm going to go out on a limb and my colleagues will correct me if I'm going a bit too far. Certainly with governments, I mean, that's our highest priority. We are governments, we are the GAC. If the exercise is to engage new people as to who the GAC is, what it is, how does it function, obviously we think we can be helpful there. We want to be part of that. But quite candidly, all of us come from countries where we would consider all of these other parts of the community, they're our constituents at home as well. So presumably we could either be helpful, and we can certainly -- we coordinate with our own constituents, whether they're civil society, academia, business, you name it. So it certainly would be interesting to just at least see what the messages are. So I hope I haven't offended any colleagues, and I would go for the more information we could provide, I think the better off we'll be. Thank you.

FADI CHEHADE: Certainly. So now I'm clear, and yes, we do have these materials. But I want to emphasize that one of the things we started a year ago when I came on board is to develop an understanding of how we will engage with communities, starting from the bottom of the community. So as you know, we started regional strategies in Africa, in the Middle East, in Latin America where we just hired our new regional vice president for Asia and he -- Kuek will be starting shortly to develop that strategy for

that region. And frankly, we're in dialogue with our stakeholders in Europe and in North America as well to see if it's helpful there. So these strategies have been -- have started, they're being built, they develop a set of activities we need to do in each region, and it's out of these that we define the engagement plans per region. These engagement plans are largely completed and they include a set of strategies as well as a set of activities. Maybe the most visible one to you is the fact that we are creating engagement centers now around the world. So besides the hubs, which I described to you in Beijing -- which by the way since Beijing have been opened. They are legally now in place and our employees are able to be hired in these regions in Turkey and Singapore. But aside from these, we're building engagement centers. As you know, we announced in Beijing the one in China, in Beijing. We have since announced one in -- and opened it in Montevideo, and we will be announcing a few more in the next few months. These are just the places where we start executing the strategy you're looking for. I will be asking my team that in the next few weeks we share with the GAC our engagement plans and would be very happy, if you wish, for us to come and present you these in Buenos Aires.

CHAIR DRYDEN: Okay. Thank you. And thank you for that offer to brief us as well. Okay. So I understand Portugal, you have a question about internationalization, is that right? Would you like to make a comment now?

PORTUGAL: Thank you, and I think that we are going to have a Portuguese moment here now because I'm going to speak in Portuguese. Today nobody has spoken in Portuguese, so I will speak now. We have to think that Fadi mentioned a center that would be opened in Geneva. That would be really very interesting.   I don't know whether the whole of the community perceive what was it about. And I would like to know whether you can give more details about that, tell us more about the strategy for ICANN's internationalization. Thank you.

FADI CHEHADE: I will focus the answer, otherwise we'll be spending too much time on, frankly, the strategy for Geneva because obviously our strategy for internationalization is quite a large subject and we have a lot going on in that area right now. But particularly I must admit, when I was at the WTPF in Geneva I had the opportunity to meet, for example, with missions to the WTO and various other players in that kind of arena there, and it became clear to me that ICANN needs to engage with all kinds of international organizations, many of whom are of course present in Geneva. We've been absent from that city. We've been absent from that dialogue. I also am starting to believe a year after starting this job that what we have at ICANN is a true treasure to the world of Internet governance that we don't take enough time to frankly talk about and share with people about it. There aren't many places on the planet where a transnational organization like us actually engages multistakeholders in this kind of policymaking and community work. So frankly, this office in Geneva is about taking time, investing time to engage with international organizations, NGOs, IGOs, all kinds of organizations, and to talk about the multistakeholder model and how it

works and how ICANN works. We really need to invest in that. We also, if we're going to move people there -- so our head of intergovernmental engagement globally is Dr. Tarek Kamel, whom many of you know, he and his family will be moving from Europe and Egypt and actually going to live there to support the beginning of that engagement center. And Dr. Kamel, you know, just to have him there and then to grow the staff there we needed to set up some legal structures there so the beginning of that is moving forward at this stage.

HEATHER DRYDEN: Thank you. Okay. So, as I mentioned earlier, on the issue of singular and plural versions of the same string, we haven't really come to a point of deciding what in the GAC we might say on that topic. But Germany does have a specific question associated with this. So, Germany.

GERMANY: Yes. Thank you, Madam Chair. As you already said, we have this issue of singular and plurals. And there is a discussion. We asked or requested in our advice in Beijing the board to reconsider its decision to allow singular and plural strings for applications. We received a response from the board, but I wouldn't like to comment on this response at this stage. Instead, I would like to raise a question that is related to the issue. It is a question on how ICANN in general determines whether two strings are confusingly similar. From our perspective, the methodology and the algorithms used for determining confusing similarity should be the same for new gTLDs as for fast track IDN ccTLDs.

I would, therefore, ask the board whether indeed both processes are equal -- identical and use the same criteria for defining confusingly similarity. Thank you.

HEATHER DRYDEN: Thank you, Germany. So Chris Disspain will answer.

CHRIS DISSPAIN: Thank you. I have a somewhat intimate knowledge of the IDN fast track, so I guess that's why I'm answering the question.

The answer is effectively yes. It's slightly complicated, because you're not actually comparing two similar things. But the process is the same. The criteria are the same, but they're a different comparison. So I'll try and explain it.

In the IDN fast track, what you're doing is comparing a non-ASCII script with the two-letter ASCII codes. So that is the comparison that is taking place. And, if there is -- so issues only arise where alphabets that are non-ASCII, so Cyrillic and Greek being the two main ones, have similar characters to the Latin alphabet. And so they look identical or very similar.

In the case of the gTLD process, it's a visual similarity, but the visual similarity is not across scripts. It's, basically, effectively, within the script. And so, although the criteria are the same, they are actually looking at their -- they are comparing in a different things. Because, if you take the single and plural example, that would not exist as an example in the fast track. But the criteria that they're using, the visual

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similarity criteria are the same. It's the same standard. I'm trying to -- by saying it's a different comparison, I'm trying to illustrate that they're looking at a different problem because of -- the single and plural problem is different. So we've never faced it in the fast track, even though the criteria are the same.

We're facing -- the problems we face in the fast track are to do with two characters in Cyrillic or in Greek looking the same as two characters in ASCII.

That's not the same as single and plural. But the criteria that they are using to actually make those decisions are the same. And it's tested -- it's shown by the fact that the -- one of the examples that they did find to be -- that the gTLD process did find to be confusingly similar was where there was an R and an N, which is confusing with an M, which is the equivalent of saying alpha is confusing with A. Alpha written in Greek is confusing with A written in ASCII. But the basic answer to your question -- I did say it was complicated. But the basic answer to your question is yes, they are the same criteria. And I'd be happy to have a longer conversation with you about it outside with a glass of wine, if that helps.

HEATHER DRYDEN: Germany.

GERMANY: If you'll allow me, I'll ask an additional question. If I understood, the testing is -- I do not know who does these visual checks. Probably some kind of a machine that does it? I do not know. And there is a proper

algorithm behind it. What I just wanted to know is also the panels that are involved in this. Are they operating under the same standards positively?

CHRIS DISSPAIN: May I? Okay. So the -- first of all, thank you for bringing that up, because you asked me -- you originally said how ICANN makes the decision. And ICANN doesn't actually make the decision. The decision is made by independent panels. The gTLD panel and the IDN fast track panel are operating under the same criteria and the same process. There is an algorithm that is used, but it is only a guide. It is no more than a guide.

The decision is actually a visual decision made by people, not by a machine.

So it is a people decision, not a machine's decision.

HEATHER DRYDEN: Thank you. Okay. All right. So let's move on to our next topic. I believe Uganda has an observation to make on the topic of geo names.

UGANDA: Thank you. Sometime today we had a discussion where a gTLD string was brought up, an objection was brought up. And then, as we went discussing, we discovered that probably would not have a singular clear process to raise objections in such cases.

It's not only confusing to GAC, but we think to the potential confusion going forward. Because there are likely to be objections. So we're seeking to find out if the board had thought about this. We certainly think they have, but what their thoughts are. And, if not, what are the processes that can be put in place to discuss this and develop this and probably how GAC can be helpful. Thank you.

HEATHER DRYDEN: Thank you, Uganda. Chris?

CHRIS DISSPAIN: Thank you for the question.

I think the simple answer to your question is, yes, we will be reviewing everything that's happened in this round before moving into the second round. So, if there are gaps that you've discovered, if there are things that could have happened that would be helpful for you, then we would like to know about them. And you can certainly expect us to be reaching out to you at the appropriate time to get that information. So thank you.

HEATHER DRYDEN: Thank you. Okay. Iran, you have a question or comment?

IRAN: Yes. Following the answer was given and the question raised, or vice versa, I wish to suggest that whatever study is made, necessary and appropriate attention to be paid that no specific criteria which excludes

further exploring particular case as cases to be developed. We should not be develop something that ties our hand in the future. And, instead of resolving a particular problem, get in more problems. And so on and so forth. So no doubt we should look at this matter but should be very, very prudent and very cautious. Thank you.

HEATHER DRYDEN: Thank you, Iran.

Okay. So next we have a comment about the RA and RAA. So the EU Commission, if I can ask you.   And then we will move to dotless domains.

EUROPEAN COMMISSION: Thank you, Chair, for giving me the opportunity to raise a point particularly of interest to the European Union and its individual member states but I assume also other government representatives.

The board has been aware of the fact that certain provisions in the registry agreement may violate national law, national applicable law, in particular, privacy law. That was good to see the ceremony and the signing of the register. It was a good exercise. But we would like to encourage the board to introduce the adequate procedures to remedy these conflicts, for example, by granting exemptions and waivers based on the documentation from public authorities as is the case in the RAA where you've done that.   And the EU member states are actually concerned that the lack of such remedial procedures will put registries encountering conflicts with international law in a disadvantaged position compared to other registries. These registries cannot sign the

standard contact and will have to engage in a possibly lengthy discussion and contract negotiations with an unpredictable outcome. So I would like to make that point clearly to the board.

Also for the RAA, where you have these provisions, they still need to be implemented. So we need to see what comes out of this, but I think it's an important point to consider in the further work that needs to be done in implementing these agreements. Thank you.

HEATHER DRYDEN: Thank you. So I can see nodding. I think that covers it. Okay. All right.

So then I think Sri Lanka has a question on dotless domains.

SRI LANKA: Thank you, Chair.

At the outset, I would like to thank the board for -- and its CEO for engaging us in this healthy dialogue for which you have done that in the past.

Just a quick clarification on the subject of dotless domains. Given the advice that we heard earlier in the day given by SSAC on the whole issue of dotless domains, I just want to clarify whether the board's perspective on this was subject. And, if it is premature to discuss it, I'll withdraw the question. Thank you.

CHERINE CHALABY: We understand the issue of dotless domains. It's on the agenda of the next new gTLD committee meeting which will take place in early August.

We are waiting the completion of the report that was commissioned to take all the input. And then we will have it for discussion at the new gTLD. I think it's inappropriate here to express our views other than to explain to you what's happening. Thank you.

HEATHER DRYDEN: Thank you. Okay.

So we've managed to get through all of our agenda items. Thank you very much to the board for coming to meet with the GAC today. We've had another good exchange, I think. And even better we get to now move to having a cocktail upstairs. I think it's in the arena, as it's called. So it's at the end of the hall above Hall 6 up the escalators. So let's move to that portion of the evening's events. Thank you.

STEVE CROCKER: On behalf of the board, thank you all.

[END OF AUDIO]