
THOMAS SCHNEIDER:

Okay. I think we should start. I guess there will be more people joining. We have 90 minutes' time. Maybe there was some confusion and discussions about the purpose of this call. I can quickly try to answer and sum up at least my perception of why we are here now together.

There are two elements to this. One was that, as a way to try a new way with this first B Meeting that we had, we were planning less or initially actually no bilateral meetings or trying to engage with other parts of the ICANN community, including the Board in the Cross-Community session, Cross-Constituency sessions in the afternoon, but also having a number of Board members that came into the GAC silo sessions and joining us in the sessions. We were hoping or assuming that they may be a different kind of exchange with the Board than the usual 90 minutes that we would meet.

In addition to this – this is the second aspect of it – there was a repeated discussion or request, particularly from Board members, but also from GAC members, that it would be useful not just to engage before the communiqué starts, but actually also have a chance and opportunity to discuss once the communiqué has issued, once the communiqué is there, so that the Board can ask questions of how to understand, how to interpret, what the expectations of the GAC are related to the different actions items in the communiqué, and the view to help improve a mutual understanding in the light of this GAC advice efficiency process that we're trying to be more diligent and more traceable and more accountable in the way that advice is processed, not just GAC advice, but advice in general.

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So these are the two elements for this call. One is the fact that we did not have a bilateral meeting in Helsinki, and the other one is that we, yeah, have the – this is the first time we actually have an opportunity to try to see what that value added is to be discussed at a meeting after the communiqué is issued.

So these are the two reasons for this call, and basically the agenda for the call is basically to go through the communiqué and maybe explain things – the rationale or the reflections of the GAC – to the members of the Board present, and on the other hand, in particular allow Board members to tell us how they understand this and how they may consider, they start looking at this and eventually implementing GAC advice so that we can have an exchange to make sure that we are more or less on the same page with the [GAC] to expectations and what can be done and what cannot be done.

Basically the GAC's communiqué would be the agenda for this meeting. We may if we have time some space for other business to be discussed and other things that may come up. But the main goal is actually to have an exchange on the communiqué.

Are there any questions on the agenda?

STEVE CROCKER:

I had trouble with the audio at first, so dialed in separately. I apologize for missing the first tiny bit of the meeting.

THOMAS SCHNEIDER: Hi. I don't think you have missed once. I was just trying to explain why, from the GAC side, we're having this meeting. I guess you heard that the agenda is to go for the communiqué and have an exchange on the substance of it or on how to move it forward – what are the expectations of the GAC? How does the Board intend to start working on this?

STEVE CROCKER: Well, we're here to listen. In broad strokes, I've been trying to socialize for all sorts of inputs to the Board and various forms of advice – a base four-step process. Some version of this I know is encased in the procedures that we've had set up in the past, but the four steps are, one, make sure we understand what's in the advice being given to us. That's just for clarity, not – well before decision.

The second stage is to try to understand the implications, what it would take to implement the advice, resources, feasibility, etc., and ending with a decision as to whether or not to accept or not accept. In the case, of course, with GAC advice, if our inclination is not to accept, then we go through an extended interaction and try to resolve things.

The third stage is implementation, and the fourth stage is agreement on whether or not this has in fact been implemented properly as a clean closure, rather than just saying, "Hey, we're done," and everybody goes away.

So we're still very much in the very first stage of absorbing what was said and making sure we understand it. My understanding of the purpose of this call is in service of that basic part of the plan. Then we

have some distance to go before we can say what our decisions are, which will obviously be based upon analysis by staff and workup of the details.

THOMAS SCHNEIDER: Thank you, Steve, for outlining again this context of the different steps of processing [if I may say so] GAC advice. With regard to your sentence that you are here to listen, actually I would hope that you were here to ask questions in particular, also, or to comment on our advice because the advice we [inaudible] like two or three weeks. So from our side, it would be good I think for GAC members to see how this message that we have been giving you has been received and what you think about us interacting in the sense that we both understand what the expectation of the GAC is. Then you can maybe give us some initial ideas about how to process [inaudible]. But that's already a next-step in your sequence of steps that you outlined.

STEVE CROCKER: Yeah.

THOMAS SCHNEIDER: Just a question. We got more and more people on the call, which is fine, so the question is – I don't know whether everybody is on the Adobe; some may be on the telephone line only. I don't think it makes sense to go through all the GAC members that are on the call because there may be too many, but maybe it would make sense to quickly announce on the audio line for those who do not see it which Board members are on

the call. Do you think that makes sense? If somebody reads out which Board members are on the call?

STEVE CROCKER: Yeah. I'll read the Board members that I see are in the Adobe room, and then if anybody is on the line whose name I haven't called, then please add yourself.

I see Becky Burr – who is an incoming Board member, but for all practical purposes, we've tried to fold in incoming Board members fully into our discussions – Cherine Chalaby, and Markus Kummer. Those are the only ones that I see in the room, but I would think Rinalia must be on the phone, I hope.

RINALIA ABDUL RAHIM: I am.

STEVE CROCKER: I don't know who else –

UNIDENTIFIED MALE: George is on the phone.

STEVE CROCKER: George is on the phone. I see Asha in chat room, but I don't – that's weird. I didn't see her on the list of participants.

UNIDENTIFIED FEMALE: Hello?

STEVE CROCKER: Asha, are you there?

THOMAS SCHNEIDER: Asha is on the Adobe, and Chris Disspain is on the Adobe, from what I see. [inaudible] is on the Adobe, and [inaudible]. I don't know whether you mentioned her. So that's a growing number of GAC –

UNIDENTIFIED FEMALE: Yeah, and I'm sitting here with Jonne and Ron.

STEVE CROCKER: Oh, I see.

THOMAS SCHNEIDER: Almost everybody now.

STEVE CROCKER: And your line is very noisy, I'm afraid.

THOMAS SCHNEIDER: You mean the [Berlin] line is noisy, my line?

STEVE CROCKER: It sounds like background where you are. All right.

THOMAS SCHNEIDER: Okay.

STEVE CROCKER: You've expressed that we've had some time to discuss this. Not much has happened within the Board. We have had some input from staff, which is helpful, and I did go through personally and read the communiqué and scribbled some notes to myself. But I would just be speaking for myself, not for the Board.

Let me give some flavor of the kinds of questions that have come up in the workup that we asked for from staff. If you wish, I'll just go through this item by item, maybe on the order of a dozen separate questions.

THOMAS SCHNEIDER: Okay. Steve, yeah, I think it's a good idea. Maybe we can go through the communiqué point by point. Whenever you have a question that you have on the list that you have, raise it, or when somebody else has a spontaneous question, then you can raise it. But we go through the communiqué point by point, and you bring up your questions whenever they are there. Is that workable for you?

STEVE CROCKER: Sure. Go ahead.

THOMAS SCHNEIDER: Okay. If we look at the communiqué, there are several parts which are not advice that I think we don't have to go into detail on, unless

somebody would have a question, of course, or a comment. We would be happy to deal with that. But the introduction is clear. The inter-constituency engagement is explaining who we met and what we did and the internal matters.

There's one element that touches the Board, which is BGRI Working Group that is working on the effectiveness of GAC advice, but that's just for taking notes. I don't think that that should be too much of a discussion here. Then an update on capacity building, on the working groups, and on the Secretariat. I don't think that this is something that we would need to spend time on here. If somebody has a question, just raise your hand. If you are not on Adobe, just speak up and say you would like to say something.

Then there are a few comments on the IANA transition that are also not advice items. It's information items. Then there's a page on other issues, which is not GAC advice, but it's important information that may also be interesting for the Board to read; in particular, the part about the IGO protections, which is nothing new. It's just recapturing things that have been there before, and the same for the Red Cross. Then we have the advice section.

Maybe to sum up everything until here which is not the advice section, if somebody has a question or a comment. I see Mark Carvell from the U.K. has raised his hand. Mark, please, go ahead.

MARK CARVELL: Yes, Thomas. Thanks very much. Hello, everybody. I appreciate very much the Board members joining this call. It's a very helpful as a follow-up to Helsinki.

The reason I raised my hand was with regard to Item 4 on the other issue, Red Cross/Red Crescent or protection. Here, as I understand it, the next action is for the Board to write to the GNSO on the issue of permanent protection of designations and identifiers. This is a long-standing issue which has been the feature of advice from the GAC in the past, and consultations have been very helpfully going on.

I'm anxious to know if the Board has recently wrote or is intending to write to the GNSO on this issue. That's my question to raise now. What is the situation from the Board side on responding? Thanks.

THOMAS SCHNEIDER: Thank you, Mark. I think that's a good question that I guess many of us are eager to get at least an informal update or whatever you call it on from the Board. If anybody from the Board is able to answer that question that the U.K. [inaudible].

STEVE CROCKER: Just so we can keep anybody, including me, on the same page, which item was this in the –

THOMAS SCHNEIDER: That is under V: Other Issues. It's the last point. It's point number four, which is the first thing on page six of the communiqué. If you have numbered it because it isn't – Red Cross, Red Crescent, Red Crystal.

Mark refers to the fact that the GNSO has written a letter to you, to the Board, some time ago, asking for action by the Board to move this forward, if I understood this, if I remember this, correctly. Mark would like to know what your plans are in terms of reacting to that letter by the GNSO.

STEVE CROCKER: I have not been tracking that personally. Would somebody else like to –

THOMAS SCHNEIDER: Chris has his hand up.

STEVE CROCKER: Good.

THOMAS SCHNEIDER: Chris Disspain has his hand up. Chris, do you want to come in?

CHRIS DISSPAIN: Thank you, Thomas. Can you hear me?

THOMAS SCHNEIDER: Yeah.

CHRIS DISSPAIN: Okay. Thank you, Mark, for the question. Just to briefly say that, yes, it's correct that the GNSO has written. Yes, the Board will be responding to a letter from the GNSO. We did in fact discuss the matter briefly with

the GNSO when we met with them – some of us, not all of the Board – the GNSO Council in Helsinki. We said that we would be responding. We will respond.

I can't say what the response will be at this stage because we haven't got the details yet, but I can say that we talked to the GNSO about carving out the issue of the Red Cross names and dealing with those separately from other matters which might take slightly longer to reach agreement on. But, yes, there will be a response, and the response will be relatively swift.

THOMAS SCHNEIDER:

Thank you, Chris. I hope that helps us understand where you are. Are there any further questions on the section of the communiqué that is before the advice section? Actually, the numbers, at least in the version I have, come up coherently. The GAC advice section to the Board should be number six and not number four because have two fours, one before and one after five. But that's a detail.

Okay. If there are no more questions or comments, I think we should go through and spend the rest of the time going through the advice part of the communiqué.

The first one is related to a few gTLD policies, where basically, at least in my view, this is rather simple and straightforward that one of the key messages is that, before going too far ahead with developing a framework for future rounds, the analyses and reviews should be concluded about the first round. Yeah, this is basically a logical sequence that we've already highlighted that we expected [inaudible] in

the Marrakech advice, so there's not much [inaudible] likely into more detail. As a rationale, [inaudible] saying that the GAC is basically not against future rounds but that there are some issues that should be looked at from looking at lessons to be learned, and that we would expect that this is done, and the necessary data and so on and so forth is gathered and analyzed. With regard to ICANN publication to the global public interest and so on and so forth, that would be concluded and fed into the process for future rounds. So this is basically what I can say in trying to sum up on this one.

I don't know if other people on the Board have – I'm sure you must have questions on this one [inaudible].

STEVE CROCKER: I don't see anybody with their hand up, but I have a couple of questions, both from myself and from staff.

THOMAS SCHNEIDER: Yeah.

STEVE CROCKER: On Items – let's see. The way it's numbered is 1A, and then there are three bullets – A, B, and C – under it. This is asking for an objective and independent analysis. Cost and benefits should be conducted beforehand, drawing on experience and outcomes from the recent round. That's B. Then there should be an agreed upon policy, an administrative framework, that is supported by all stakeholders.

So my question on the B is, I didn't quite understand what that meant and how it is different from the already chartered and underway CCT review that is, as best I can tell, looking at those questions. So I'm asking for clarification, really. Is this covering the same round, or is this intending to say something different?

With respect to C, I didn't quite understand by what's meant by an agreed up policy and administrative framework by the support of all stakeholders. At one end of the spectrum, the answer is: everything we do is always supported by all stakeholders. That's why we have there rather heavyweight processes. At the other end of the spectrum, maybe there's something lurking in there that is intended to address something that's missing. But it isn't clear exactly what that means.

Then I had a question also on the next part about all measures. Staff has asked, "Does the GAC believe that it's the Board's role to manage the timelines of the community's work streams?" So all of these things are tangled up in here.

THOMAS SCHNEIDER:

Okay. Thank you, Steve. I'll try to pick that one up. But just to make it clear, I don't intend to monopolize from the side of the GAC the discussion, so I actually count on my colleagues to come in, and in particular, I want the key persons on a particular piece of advice joining and giving their understandings and their expectations as well, so that not everything needs to be channeled through myself. But this is clear.

But I can try to start answering this. With regard to your first question, there are several elements of analyses and reviews that are being done.

One is the CCT review. Another one is the reviews that the GNSO is doing. Staff is doing a few things. This is not to describe to you in too much detail what exactly you need to do, but there's a clear expectation that there should be an understandable and [trend] analysis of cost and benefits. Also then the question is: cost and benefits for whom? For the operators, for ICANN, for other people, for others.

If you remember, there was a study in 2010 about economic aspects of the new gTLD [inaudible] before it was launched. There were some elements that were alluding that there may be more costs or more benefits, or depending on how things will go, costs may outweigh benefits or benefits may outweigh costs for the global society, for the economy as a whole, much as the domain industry, but actually also through the others.

There was, for instance, a feeling in the discussion that that was not fully picked up or that the current reviews currently underway may not fully take into account all aspects that GAC members would like to know about costs and benefits, and, as I said, not just the costs and benefits for the industry, but costs for trademark holders and IPOs and whoever may have costs or benefits opportunities in this. So it's a comprehensive economic analysis.

To what extent this is part of the CCT Review Team is difficult for us to say because we have not seen any paper yet, any draft, or anything coming out of the CCT. That may be covered, but we don't know. But the expectation is clear that we expect such an analysis that would be sufficiently exhaustive to be one of the [basises]. And the second part of the administrative framework I think that's basically before a new

Applicant Guidebook is put in place that there should be support by all stakeholders, which as we say, probably goes without saying but it was felt that nevertheless this is an important point that in the end everything should be supported by everybody.

I see Olga Cavalli has her hand up, so maybe Olga you want to join in.

STEVE CROCKER: And also I have George in the queue, but let's do Olga first.

THOMAS SCHNEIDER: Okay.

OLGA CAVALLI: Okay. Hello. Good morning from Buenos Aires. Thank you very much and thank you for our colleagues from the Board to be with us in this call which I think is very important. I would like to concur with Thomas Schneider and add some comments, especially about communities and the perspective from different countries of the outcomes of the new gTLD first round. Some countries have been following this very closely and some new gTLDs have some impact at the national level, and we had to follow up from our GAC perspective this outcome.

So adding to what Thomas said, what we feel is that perhaps there should be a very important analysis of what happened in the first round before going to the second round. It is not clear for us if these analyses have been really completed. And, of course, this issue about the public interest, we are working on that in the GAC, and I know that there are

different perspectives of the public interest concept but all the different perspectives should be considered in this new round. As you already know, the GAC has been working in different working groups from different perspectives in relation with new gTLD rounds and we would like that our analyses and our conclusions and our developments could be considered and taken in consideration of any new Applicant Guidebook or whichever the name, it will help. Thank you very much.

STEVE CROCKER:

Thank you. George, wanting to speak – and also let me announce that some members have joined who were not listed before. I'm sort of trying to scan here. I think [inaudible] and Akinori as an incoming Board member. And did I miss anybody?

Alright, George.

GEORGE:

Thanks. I wanted to make a more general point but one that's applicable to 1A 1A. There's a lot to talk about, and that is this – that so much of the GAC advice that comes through that is in the current communiqué is of a normative type, that is, it describes what should happen. And that's perfectly appropriate in terms of advice. But what it doesn't do, it doesn't give us a good way – or at least I can't see a good way – to translate that more precisely into implementation.

So as an example [1A] says, "Requirements with regard to interoperability, security, stability, and resiliency, should be met." That's fine. I agree with that. I think the Board agrees with it. But how does it

translate into an operational [tip]. Well, what are the requirements? How do we know when we've met them? The concern comes from having to translate something that is a bit of a [motherhood] statement – which we all believe in and we all want to have happen – into something where we can say, "Oh, we've met that requirement." And I think this goes throughout communiqués in general, where a lack of precision doesn't help us to understand whether we are implementing or has implemented or have met the advice. This is very difficult, and I don't think this is only my problem but it [inaudible]. Thank you.

STEVE CROCKER: I agree with you, George.

THOMAS SCHNEIDER: Thank you, George. Before we go on with the [speakers], I see Gema and Chris on the Adobe.

There are two elements. First of all, an element that Olaf has brought, that this call is being recorded. And the question is, should this be made available to the public? Given that when we meet in a physical meeting our meetings are open, my suggestion would be that this call should also be in a sense open for others to listen in to or to re-listen afterwards. So my suggestion would be that we would consider this as a call that should be open and accessible to the public, at least to listen to after that. Is there any objection to this?

STEVE CROCKER: I agree with you very strongly, Thomas. Common sense is that there's enough of us involved here so that the idea of having this not be public would be problematic in any case. So, sure.

THOMAS SCHNEIDER: So we are clear on this. Thank you then. To just quickly answer George's question. The thing is the following, from the history of the GAC, how the GAC used to work – at least that's what I kept hearing since I started to join the GAC in 2008 – was that the GAC advice would remain on principle level and in line with this outcome document of the work [inaudible] would not basically mess with the day-to-day operations of how ICANN is managing critical Internet resources. That was the assumption so far, that we [have been] issuing principles or redelegation/delegation of ccTLDs, we have been issuing in 2007 or whenever that was, we have the GAC principles on new gTLDs and so on and so forth. That was the way that the GAC at least from what I kept hearing from people like Susanne and all others who were there since the beginning, how the role of the GAC was understood.

Of course I do know that it is difficult and you can cite, I guess, dozens of examples and the thing is, if you look at this when we say we advise the Board to make sure that requirements with regards to stability, security, and so on, are met, and [then you say], "Okay but what does that mean?" In my interpretation this is basically it is up to the Board to propose a definition of – or to put it the other way around – if the expectation from my side would be that the Board would look at what are requirements for the GAC's interoperability, security, stability, for future rounds, and then the Board will come up at some point in time

and say, “We have looked [onto] this. We think that the requirements are the following ones, and we think that given that we do this and this and this, these requirements will be met.”

So the idea is not to tell the Board what the requirements are, but basically to ask the Board to think about this and communicate its views on what is necessary to meet the requirements that the Board thinks need to be met or whether they have been met or have not been met yet.

So I hope that this explains to you how our advice works. We have some general issues that basically our taxpayers, our politicians, our [businesses] ask us that we ask for these requirements to be met, but we may not be the ones that know in detail what these requirements are. This is basically the responsibility of the mandate of ICANN and through the Board to make sure that these requirements are met, seeing the idea that this is a sufficient guarantee for interoperability and stability.

We note that – and I think we have been adapting our way to communicate that – as more and more we get the request to be more specific, more clear, more also let’s say into the details, that we are going in that direction, but historically that was always the understanding that we should not describe the Board how to do things but that we would basically formulate an expectation in terms of public policy goals like, for instance, an appropriate stability of the Internet and for the maintenance system and so on, but leave it up to ICANN to decide what the actual level of stability is that ICANN can contribute appropriately. And then once you have communicated that you think

the requirements are met, we could then come back to you and say we agree or we disagree. I hope that makes it clearer at least.

STEVE CROCKER:

Thank you for that. Let me just make a mild comment. I know it's standard to phrase everything in terms of the Board making a decision or the Board deciding or the Board deliberating. That's of course not what happens in practice at all. What happens is staff provides a great deal of analysis and brings tentative decisions up to the Board, and the Board has mainly focused on whether or not the analysis and the advice that we get from all sources is complete and sensible, has followed process, and is feasible. So I don't know to what extent it's just a matter of form that there's reference to the Board does this and the Board does that, but to avoid any confusion I'd like to make it clear that there's no instance in which the Board goes into a session and has a lengthy debate about all these things from scratch. We're basically overseers of a process as opposed to trying to make primary decisions ourselves, and that's the way it must be in a multi-stakeholder and bottoms-up situation. Otherwise, the Board would be a source of... and the question then would be, "Okay, and then what happens if you disagree with the Board, you can always throw us out of course." But that's not the most efficient way to run things.

THOMAS SCHNEIDER:

Thank you, Steve. I think this is touching on something that I realize is more and more of an issue where maybe we may need to work on some perceptions or shared perceptions. I don't [whether] it's just with the

GAC but also with others. And then I will stop and give the floor to Gema and Chris.

But I think, given the structure of ICANN, we are advising the Board. This is our way to make sure or try and make sure or support ICANN to get some public policies right or in a balanced way or get a reasonable outcome. We are neither advising directly or formally the GNSO or the ccNSO, but we are definitely not advising ICANN staff. So for us, let's say the legal and also political if you may, responsibility for any decision taken by ICANN lies with the Board. It doesn't lie with the GNSO. It doesn't lie with staff. It doesn't lie with the ccNSO for us. And this is the way we are set up to advise the Board. But the Board is the entity that is responsible in the end [and has] final responsibility in the ICANN system. If that was not the case then you would say you are basically just a procedural overseer that procedures are followed. Then we would need to discuss whether we would need to change the Bylaws that we do not advise the Board but that the Board is actually like the court in the end that is [that would] decide whether procedures have been followed or not, but that we would actually change the procedures in the Bylaws that we would advise the GNSO or we would advise ICANN staff or so on.

But as long as we advise the Board, we have to basically count on the Board taking the final responsibility for whatever comes out of the ICANN system, that the Board says, "Okay, of course we have not worked on everything in all the details ourself, but we in the end decide that these requirements are met so we think that this is this." Like when you decided to go with the first draft of the new gTLDs, that was the

decision of the Board to say, “Now it’s good enough. It’s good to go, so we’ll do it.”

There may be some confusion about this understanding of the responsibility of the Board and I just wanted to make the vision of the understanding of myself and I think the GAC in general make that clear that for us the final decision maker in ICANN is the Board. And I hope that also helps to [inaudible].

STEVE CROCKER:

Yes, and there’s no question the Board is not shy about its responsibilities, but I think it’s also helpful for everybody involved to have a understanding of what happens in practice. Having said all that, perhaps it’s a distraction to go further down this but more than happy to get into a more detailed discussion of this with you, Thomas, or with either one on one or with more people and just in the aims of seeking clarity and effectiveness, more efficient and more effective operation.

Alright, so with that let me now close off that digression and move back to the specific points in the advice. Where would you like to go next?

THOMAS SCHNEIDER:

I see Gema and Chris [inaudible] have their hands up. So Gema please. Gema from Spain.

GEMA M. CAMPILLOS GONZÁLEZ:

Thank you. Good morning, afternoon, or evening to all of you. I wanted to comment a little bit on point 1C, a [brief] policy on administrative

framework. Let me start by saying that I'm not really sure that I'm going to give an interpretation of the communiqué that is supported by all GAC members, but it's my read of the policy. And it's that the creation of new gTLDs have multiple impacts. One of them can be on security and stability and resiliency of the DNS system. It can have impacts on ccTLDs. And of course it has impact on public interest.

The [Inaudible] shows in the first round like community applications like how to promote the DNS system in developing countries, questions about the [rapid] names and so on. And what huge point I think wants to underline is that if there is going to be another round, please endeavor to have a set of policies agreed by everyone, and that includes government. I know that we are supporting our right to enroll, but the way it sounds interesting discussions in Helsinki about the possibility of discussing the next round in [Brad's] constituency working group that engages all the communities more substantively I think, and that [inaudible] and I think that could be in the line of this point 1C, but I repeat that this is my interpretation of point 1C. Thank you.

THOMAS SCHNEIDER: Thank you. Next I have Chris.

CHRIS DISSPAIN: Thank you, Thomas. This is more of a sort of meta comment. We don't have to talk about it now, but I think it's important going forward. I want to acknowledge the importance of this call and to say that I think that there is a lot of benefit from the Board and the GAC either sitting down talking or having these calls. But I'd like a clarification for the

future. And I'm not trying to pick on anybody or cause a problem, but I do think it's important we understand when we have these conversations either face to face or on telephone calls, when somebody from the GAC asks a question of the Board obviously the Board can answer that question and if the Board wants to ask questions then you as Chair of the GAC can answer a question, but Thomas, when individual GAC members are speaking and they are talking about they think this, they believe this, they believe that, I think we need to have real clarity about the way that they're speaking about whether individual GAC members are speaking as individuals or speaking for the GAC. And I wonder if we could get some clarity on that going forward and perhaps feed that into our process and the basis upon which we operate so that there isn't confusion. Because I think part of the confusion tends to be that an individual will say something and we'll go away saying, "Well the GAC thinks this," but actually it might just be what the individual thinks.

I hope I made myself clear and I hope it's not perceived as being difficult. I just wanted to get clarity around it.

THOMAS SCHNEIDER:

Thank you, Chris. And I think this is clear and I think it's a fair point. The situation is in the end what I think I'm learning right now when having this discussion with this [is very important] and I think because we have never had this discussion in the openness and detail that we may have had this earlier that maybe have been the source for a number of misunderstandings in terms of expectations between our two [organs].

Just to explain to you the way we work – and really thanks for raising this – we are agreeing on a text that is expressing the consensus of ideas or expectations or hopes from 70, 80, 100, no matter how many governments are there. So this acts as a formulation that we think mirrors our expectations or our request advice. And in the hopes to try and be more precise or help to explain where these come from, we add rationale which is another piece of work for us where we try to explain where this comes from. And, of course, actually the next step may be – and I’m partly joking but I’m just telling you how in the end if we stay on this formal level – what I think the next thing would be that it would require or ask us to give an interpretation – not just a rationale but an interpretation – of the advice to tell you what that means completely.

This is a legitimate question, but in the end what I do is the same thing like what for instance Gema is doing. I interpret. When you ask me I interpret the advice, remembering the discussions that we have and of course maybe there’s a difference if I as the Chair give you an answer because I have to try to be like incorporating all the different [clouds] of use or expectations into something that I hope at least reflects the consensus view of the GAC whereas if an individual GAC member speaks up, that may be a little bit more let’s call it “flavored” in terms of interpretation or hope or expectation than if the Chair does it.

But I think if we are too formalistic, we’ll never get into an action item because we will have at the end lawyers discussing how to prepare, read, understand, and interpret a text. I think in the end we have to enter our exchange on something like a common understanding, basic rationale, reason, whatever the right word is in English that we try to understand or we try to communicate to you in a way that we think is

clear and we try to understand what are the key issues, for instance on this one. To put it very simply because [inaudible] we want things to be properly done – analysis and review first and then drawing of the conclusions, and then developing of the next framework.

So this is like to put it in one sentence. But of course that is very general so we are trying to give you some more elements of what the analysis would entail, like basically a review of the requirements, the consequences, on stability, security and so on, the economic aspects with costs and benefits – not just for the domain industry but for the whole general public – and also with a timeline to pick up Steve’s question earlier. We don’t care in the end. It’s not up to us to decide whether the Board should tell the GNSO what the timeline is or the GNSO decides itself. What we expect ICANN to do is come up with a timeline that makes sense or that ICANN can say, “We think this is the right timeline for reason A B C because this is step one, this is step two, this is step three.” If we have to go into too much of detail, then the whole system of advice doesn’t work. We somehow have to be able to rely on giving messages or sharing messages which is what you’re doing is, “Okay, what does this mean? How do we implement this?” So that we cannot go into every detail because this is not feasible for us but it is also not possible and I think it’s also not necessary. We rely on the intellectual force of the Board and also the experience of the Board members that they take it with a sense of common sense rationality and do the best to say yes or no and if they say yes then implementing things the way that they think is reasonable.

But in that sense I think the requirement to me is that I have to be as neutral or compromising or comprising of all of the views in the GAC in

terms of interpreting data and maybe individual GAC members can be more flavored in what they say. But this is all one cloud of interpretation or a sample of interpretations that should help you understand why we come up with the advice that we come up. I hope that was constructive.

Should we go to the next, because time is moving on? Should we go to the next item or are there further comments on the new gTLD, future gTLD related advice? I don't see any comments on this one, so maybe we move on to the next piece which is about the Proxy Privacy Services Accreditation Issues, where this is a rather long text but that's also a lot of repetition of other texts, in particular the rationale that refers to the fact that the GAC prepared by the – Public Safety Working Group has made some comments and has given some advice on issues of public policy concern that have not been fully taken into account by ICANN. Basically some of the elements that are important is what you see in the rationale on page eight on the points.

The main three elements of what the issues are that the GAC thinks has not been considered to the extent that we would have wished are the points one to three of the rationale, and some potential solutions that have been discussed in the GAC and with the GNSO and with some people from the Board in Helsinki are two elements that basically in the view of the GAC may be solutions to address these things in the implementation so that our intention is not to give new advice in terms of substance that would change the mechanism that has now been decided, but that in the implementation of the mechanism these concerns would be taken into account.

One of the elements is the development of a disclosure framework that could detail appropriate authorizations and confidentiality requirements. And another one is the accreditation process that could provide means to [promote] accreditation of providers harboring [actors] and so on and so forth. I hope you have read the text before.

And so basically the advice is [as] the rationale where we come from based on the discussions and the advice is saying that point one that this service accreditation issues raise important public policy issues and that the Board should ensure that the dialogue is ongoing and the GAC will remain part of this dialogue on this issue. The third point is that if the Board resolves to adopt the recommendations of the PPSAI that the terms of the GAC should be taken into account and hopefully followed or respected in the implementation by the Implementation Review Team, and that this review team should work that point for now, work closely with the GAC, seek input and feedback, have exchanges with the GAC, in particular through the Public Safety Working Group and implementing this.

And the last point is if it is realized in the implementation that new public policy issues emerge, that should be referred back to the GNSO and again that the GAC would be included in this. So it's not necessarily a new advice in terms of substance but to sum up the key messages try to take care or take into account that more than take it [inaudible] actually respect ideally live up to the GAC concerns and proposals in the implementation. And the second element is keep the GAC engaged so that whatever happens that we don't have surprises at the end of the process but that we can work together in order to get this to a satisfactory conclusion.

This would be my oral attempt to basically summarize or explain that piece of advice. I have Mark Carvel from the U.K. and then Cherine Chalaby on the Adobe Connect room. Mark?

MARK CARVEL:

Yes, thank you Thomas. And thank you for summarizing this part of the advice in any case, so comprehensively. I just wanted to underline the importance – which I hope the Board will recognize – of participation in the Implementation Review Team by GAC members, in particular, members of the Public Safety Working Group. My colleague from the U.K. Nick Shorey is one of the volunteers from the Public Safety Working Group to be a member of the Implementation Review Team. So if the Board could confirm that that is noted and recognized as one key way of ensuring the GAC is fully engaged, that would be very helpful if the Board could acknowledge that on this call. Thank you.

THOMAS SCHNEIDER:

Thank you, Mark. I don't know whether Cherine would be a person to answer, to in your comment take up what Mark has asked or whether somebody else would come in. But let's start maybe with Cherine and then [inaudible] would want to complement.

CHERINE CHALABY:

I want to talk about a separate point, perhaps another Board member answer that. It's an issue of procedure, something that in the past was not very practical and let me explain what it is. When in the past we received a policy recommendation from the GNSO and the GAC did not

agree with that, the GAC tended to send its advice to the Board so the Board would then fall in between two sets of recommendation – one from the GNSO says one thing, another one from the GAC which says something different. Is that the likely way of continuing forward, or do you see the GAC directly sending its concerns to the GNSO regarding any policy recommendation and [that] this resolved before the Board is ready for adopting a GNSO policy? What's your view on that?

THOMAS SCHNEIDER:

Thank you, Cherine. Actually this goes back to what we've been discussing before. I think now that we've just had a reform of ICANN we may actually start undergoing another reform, because more and more what we hear is that we shouldn't give advice to the Board because the Board will then be in a situation that it may have to decide between the different types of recommendations or advice or whatever. Formally – and of course we know that we tried to early engage and blah, blah, blah in the GNSO's work and also elsewhere – but formally we have no way of passing or giving advice to the GNSO. We can only formally give advice to the Board.

So if the GNSO comes up with recommendations and we think that some elements are missing or the balance is not right, we formally tell the Board this is how ICANN is set up and then we expect the Board to respect or to follow our advice. That would mean in cases this is contradictory to tell the GNSO to go back and incorporate GAC advice in their thinking and try to come up with a solution, or if the Board thinks that's not the way to do, then the Board would have to reject GAC advice and then we have the procedure that would then follow.

But formally we have no other way than putting the Board in a situation that if the GNSO recommendations and the GAC advice is not 100% overlapping that the Board would need to take a decision either to follow GAC advice and tell the GNSO to basically take that into account or to not follow GAC advice. If we think – and we actually may come to the conclusion that this is maybe not the most effective way that ICANN is now working – that we should start fairly quickly to actually change the underlying structure and the thinking and the logic of ICANN in the Bylaws. I'm very open to that, but that won't happen from today until tomorrow.

I hope that answers your question or contributes to answering the question. Alice Munya and then Steve, is what I see on the Adobe Connect.

ALICE MUNYA:

Thank you very much, Thomas. And thank you, Cherine, for that question. I just want to specifically perhaps relate to the issue of the PPSAI and to let everyone know that the Public Safety Working Group did indeed get involved from the onset of the PDP, and we had volunteer from law enforcement and others who joined and actively participated in the entire process. The reason why we then came back and provided additional advice in our Marrakech communiqué was because some of the aspect that the GAC had proposed or recommended via [inaudible] about the PDP through the public comment period had not been taken into consideration, and the GAC still believes that there are very important public policy issues that still need to be taken into consideration. But also taking into consideration

the fact we did not want as GAC to offer competing advice between what the GAC would be advising the Board and what the GNSO is advising, and as Thomas has said, we felt we didn't really need to provide new advice rather to request that some of the issues that the GAC through the Public Safety Working Group brought up be then taken into consideration during the implementation phase. And also to note that we actually went out of our way and had a joint meeting with the GNSO where there was some level of understanding that some of the issues that had been discussed would possibly be addressed during the implementation phase and to this point we have two volunteers who are going to join the Implementation Review team when it's created. Thank you.

THOMAS SCHNEIDER: Thank you, Alice. Next I have Steve.

STEVE CROCKER: At the risk of prolonging this issue of what the structure and processes of advice and how it's processed, let me just comment that the Bylaws provide a certain framework but I don't think that they prescribe all possible actions or limit from a common sense point of view, if the GNSO gives us advice and the GAC gives us advice and those two are at odds with each other, then yes, it is a matter of form it's the Board's decision as to what to do. But what the Board will seek is to have as much in-depth and substantive discussion and to have the parties that are involved that have the subject matter expertise do that as opposed to Board members trying to do that themselves.

It's up to the GAC to decide how best to organize itself and how it wants to engage, but if the only communication is from the GAC to the Board in these formal communiqués and then we run into a situation where the advice is contrary to what we're getting in other sources, then the Board will have to engage in a kind of extensive process not just interacting with the GAC but interacting with the other parties as well in order to sort out what the real issues are and to be able to make an informed decision. It cannot be, must not be, in a multi-stakeholder model that we have a situation in which one party – whether it's the GAC or the GNSO or anybody else – simply says, "This is our position. You must follow it and that's the end of the story." That would give one party veto power and undermine the fundamental structure and basis of the multi-stakeholder process.

THOMAS SCHNEIDER:

Thank you, Steve. I'm fully with you and I think everybody knows the GAC does not have the veto power nor has anybody else, and that in the end that of course the Board has some responsibility that may be worth is to maybe going into a process in the whole of ICANN because that may not be just an issue for us, but may also be an issue for the ALAC or for other advisory bodies in terms of [inaudible].

STEVE CROCKER:

Exactly.

THOMAS SCHNEIDER:

So let's take note of this and this is not somebody's fault. This is maybe also just a historical development. Now that we're trying to more and more listen to each other that we realize that there are some needs from some further institutional building as well. So that is something that may also be natural in the development of the [inaudible] institution.

So I think we should move on to the next item unless there's comment or question on the PPSAI point. So if that's not the case let's go to the third section of the advice which is the two-letter country territory codes at second levels. There basically we all know that this is an issue that has a history to it as well with a number of pieces of advice and discussions also since the early days of the first round of the new gTLDs. I think trying to sum up where we are now I think is what the advice is trying to reflect.

It's first of all the fact that some countries have no issues with whatever the use will be of their two-letter codes on the second level, whereas other countries – and these are not only but mainly countries from the developing world that have very strong feelings about what is happening to their two-character codes, who is using them, and there's a strong wish or expectation by many countries in the GAC that they want to be included in the – they want to have a say, that they want to be able to basically authorize or not the use of that two-character code on second levels.

This is a description of the situation in the GAC. This is nothing new. That is something that has always been like this, and the advice basically says that the GAC is expecting the ICANN Board to urge the relevant

registry or registrars to engage with the relevant GAC members that have these strong feelings that would wish to not just be consulted but actually have a say with the GAC to what happens to their two-country character codes when the risk is identified and that also from the point of view of if the person who identifies the risk is the risk is identified where government thinks that something is risky have expressed that they would want to be consulted that then the registry and/or registrar would get together with their respective countries and find solutions and agreement on how to manage on the [first part] this issue of this risk or this confusion or whatever or to make it look for a third party assessment that may help sort this out.

So the idea is that it's basically a request to urge stakeholders to engage [I] on one side the governments that have strong feelings about this and on the other side the registries and registrars that would like to use these two-character codes or release them, but in case that these meet and get together and try to find a solution that is acceptable to both. I hope that helps or makes it clear.

I have Cherine has his hand up.

CHERINE CHALABY:

Yes, Thomas. Thank you. I think we understand what you're saying. A question for the GAC. Are you seeking some contractual requirements to implement this advice so that the contractual requirements would obligate the contracted parties to work with the relevant GAC members when there is confusion arising between these two-letter codes in the second level?

THOMAS SCHNEIDER:

Thank you, Cherine, for this question. I would actually like to defer this question to GAC members because I don't think we have discussed it into details, but in particular those who have these strong feelings and strong concerns about confusions and other risks, that they could speak up and tell us what they would expect in addition to maybe just engage people to get together and reach an agreement, what they understand. If I get your question right, the key question is what do you mean with come to an agreement, whether that should be based on a contractual agreement or something. So let me defer to other GAC members in the hope that we get an answer.

I see Olga Cavalli from Argentina. Thank you, Olga. Please go ahead.

OLGA CAVALLI:

Thank you, Cherine, for the question. And thank you, Thomas, for raising this important thing up. What I would like to say is that for many countries in the world the only place to participate in ICANN is through the GAC, and they express this concern about the use of two-letter codes or three-letter codes whether in a second level or a top level as a legitimate concern of codes that do represent the community, the country, and the interest of the country. They are not active in other parts of the community and they are not active perhaps in the GNSO or may not be so active in the ccNSO, so the GAC is the way that they are expressing this concern. And it is including several countries, where there are some countries are okay if these two or three-letter codes are used, some others are not. So the idea is to work together to find a way

that everyone is somehow informed and aware of how these two or three-letter codes will be used. Thank you.

THOMAS SCHNEIDER: Thank you, Olga. I see Chris on the list.

CHRIS DISSPAIN: Yes. Hi, Thomas. I just wanted to stress that – and this kind of goes back to my meta point – about who’s speaking on whose behalf. The GAC advice is clear to me. The GAC advice says that there are some things that we should do but it’s clear that there isn’t consensus. At least it appears to me it’s clear that there isn’t consensus in the GAC that the use of these two-letter codes should be blocked.

I think it’s part of the issue is that the Board needs to be very clear and sometimes we might need to ask very pointed questions of the GAC to get that clarity about what has got consensus and what hasn’t. And my interpretation of this advice is that there isn’t consensus, and so therefore the GAC has decided to say that it suggest/urges whatever is the word you want to use that there should be dialogue.

THOMAS SCHNEIDER: Thank you, Chris. Before giving the floor to Gema who has her hand up as well, let me maybe add the following. It’s less the question of whether expect consensus among governments to release or not release their country codes, because the consensus is different when the consensus is basically every country should have a say in this, that those who say, “We don’t care about my country code, that’s not an

issue for us, so do whatever you want with it,” that is an option, but those who care or have concerns, who have a different connotation to these codes, that they have ways to make sure that nothing happens, or that they are not used to things that they think is risky for them or for their community.

And the urge is to basically – people engage to find, for every individual case, for every country that they find solutions that are suitable for their country. The case of those who have no problem or no issue with the character codes, there's nothing to be done, they can just be used. For others, there's a requirement to engage and find a mutually blah, blah, blah acceptable solution in that sense. That is the consensus.

CHRIS DISSPAIN:

With respect to [inaudible] in that case, why doesn't the GAC advice say that the GAC advises that a country should have the right to veto the use of its two-letter code? Because the GAC advice doesn't say that, and what you've just said implies to me that, because you can't all agree, that there should be a backstop which says that if a country doesn't want [inaudible] and that is not what the advice says, on the face of it at least.

THOMAS SCHNEIDER:

This is not the first time that we give advice on this. The thing is, I guess people are hesitant to say, “We want a veto right.” We maybe do not want to go that far, or at least the whole GAC does not want to go that far. If you look at this – and when drafting, this is what we have been looking at. All the previous advice has been – Los Angeles in 2014, I

think, but also there were earlier pieces of advice maybe that led to the formulation in the Applicant Guidebook, which is also not clear. That's another problem, in the Applicant Guidebook you have two elements of ways to release. One is the consent by the government, and the other one is the so called approval by ICANN, which also led to very different interpretations.

The other thing is, of course, the fact that some of these codes have already been delegated by now, which doesn't make it easier. And again, of course, there are definitely some countries who would like to have a veto, and you're right, this is not exactly what this advice says. It says that at least you should urge people to engage and find mutually acceptable solutions to maybe avoid vetoes, or to maybe make the registry give in voluntarily and so on and so forth. But I'll stop here, because maybe Gema can help us understand these things more clearly. Thank you.

GEMA M. CAMPILLOS GONZÁLEZ: Yes, thank you, Thomas. Yes, I think [inaudible] 6 was saying that [inaudible] that the GAC is aware that there are international legal rights on the codes. That's why we don't say directly that we want a veto right, because we don't have it. Although some countries think they have, but there is not enough support for that position, because there is not a legal right on them. But we won't – the Board on the ICANN communities recognized that there is a concern that is legitimate, that maybe it is not reflected in pacifist law in a city or something like that, but there is a concern [inaudible] on the side of the government and the side of the people that the government represents,

and that some kind of a good faith agreement or approach should be found.

To the question of if these have to be reflected on contract, what other manner should or could this advice be implemented if not in contract? That's the way ICANN expresses, in contract. In the end, everything boils down to contracts. Maybe when we [inaudible] third party assessment is the name, how the [inaudible] name relates and is registered and an issue arises, a way of interpreting it could be like having a [inaudible] for instance to deal with those cases, but this is not the only opportunity.

So this is my answer to that question. I also wanted to take the floor to ask a question regarding – if I may – the proposed measure to mitigate confusion. They have been published, and there is a comment period until mid-August, and on the information posted, it says that ICANN is still discussing GAC advice on this issue. My question is, how are you going to reconcile – or not reconcile maybe because you don't need to accept [inaudible] advice that there are two processes in parallel.

Your consideration of GAC advice and the public comment period on measures are not the same or have not been taken in acceptance of GAC advice, so how are these two processes going to converge in the end? Thank you.

THOMAS SCHNEIDER:

Thank you, Gema. Before asking for somebody to comment on what you just said, just one thing that Cherine was asking in the chat. He was not sure whether his question was answered about the contractual requirements. I think that may be something that for instance in the

first replies, in the stage of making sure that we mutually understand what we mean and what we expect, that you could, as an expert, ask the GAC back to be more precise about what the expectations are, and then we should come back to you with a specific answer on these specific answers about contractual requirements, because it's difficult to answer these now because we haven't discussed this in such detail.

So that would require some follow-up work for us, and if you'd send us an e-mail or a letter – but I think an e-mail would be fine – that you would like to have more information or more specific advice in that regard. I think we would try to give you the answer. I hope that answers Cherine's question about his question.

Any replies to Gema's comments and questions from anybody?

Okay, that is not the case for now. You may also come in later in case you're still thinking of how to react to this. Other questions or comments on the two-letter codes? If that's not the case, let's move on. We have two more issues on the communiqué, we've got nine minutes left.

The next one I think is one of the simpler ones, it's a fairly straight forward thing. Now I lost the connection on Adobe, so we'll see, maybe it comes up again, otherwise you'll just need to take the phone. Now it's back, okay.

The next one is the use of three-letter codes. I think this is more simple in the sense that we're at a different stage of the process, and basically, starting with the rationale is that – the first thing is that we note that currently, there are protections of Alpha-3 codes for country names,

and that we think we should not rush into a removal of these, but the GAC is not yet in a position to say whether these protections in the long run should be kept or could be removed, but the position is that until we have a serious discussion and analysis, protection should not be removed.

And of course, we note that there is a strong association with country and territories with these three-letter codes, again similar to the two letter codes, and some countries have a stronger, others have a lesser association to this, and there may even be some differences between the two. For some countries, two letter codes are more important than three-letter codes, for some countries it's the other way around, but they do matter to many or most, or in one way or another to all countries.

Another point is that we note that not all countries and territories are represented in the GAC, that these somehow should also be included to the extent possible, that we should do all efforts to reach out to these countries as well in this. This is nothing new, we've had the same discussions with the country and territory names, and also with the two-character codes.

So basically, the request is that we take the time to seriously look into this, and before we make any change into what they're insisting, protections that we would – yes, look at this, and then that's the rationale, and the advice basically says more or less the same, that we should continue analysis about all aspects of a potential use, in particular with regard to whether a potential use is considered to be in the public interest or not. That this analysis should be undertaken, and

then that the current protection should be kept in place while this analysis is undertaken, and that this protection should not be lifted unless there is a consensus in the ICANN world or systems that the use of these codes would be in the public interest. That is the advice, so I hope that it helps.

Now I'm losing the connection again on Adobe Connect, so whoever would like to speak, please just take the floor, because I can't see you.

STEVE CROCKER:

Yes, and if I might, Thomas, the point is very well made, it's clearly made, but surely, there are an awful lot of three-letter codes that match country codes, that have already been in service. Has there been any discussion or consideration about that? This might have been an excellent point to make 20-odd years ago or more, when the system was put in place, but we're in a sort of already started situation. I haven't looked and done the survey of which three-letter country codes are in place, but my guess is almost every three-letter combination is already registered under .com.

THOMAS SCHNEIDER:

Thank you, Steve, and of course, you're right. I think the essence is that under the current protection, like can.com for instance – that would be the acronym for Canada or the three-letter code for Canada, whatever – if whatever is already in use or delegated, we are not asking to turn back the wheel of history and take these things off, but it says that the current protections that are in place, in particular with new gTLDs, of course, should be kept until there's a consensus that makes sense to lift

these protections. But that doesn't mean that we would ask for additional protections or things that are currently released or not protected. I hope that explains or answers your question.

STEVE CROCKER:

And one thing that would occur to me immediately is I could imagine the new gTLD folks saying, "You mean .com wins with this," because they were there and in operation and some others perhaps, and so all the new gTLDs are immediately disadvantaged on this matter. And it doesn't provide any real protection for these countries, because whatever the damage is, it's already done.

THOMAS SCHNEIDER:

Thank you, Steve. The thing is, the existing gTLDs, the legacy gTLDs, they are there, there are some regimes – or not some regimes, but this is the case, already has been the case for the past three years, what you're saying. In some ways, new gTLDs are disadvantaged to legacy gTLDs, because the legacy gTLDs have a different regime, otherwise we couldn't have had the Applicant Guidebook, we should have just said that for new gTLDs, the same rules apply like for the old gTLDs. For whatever reason or several reasons, [there were feelings] would come up for the new regime, for new gTLDs that it's not 100% matching old, legacy gTLDs.

So that is right, but this was the consensus in the community, that there were some reasons for that. The only thing we're asking is not to change anything now, until there's a consensus to change something, if I may try to simplify it to one sentence.

STEVE CROCKER: Thanks.

THOMAS SCHNEIDER: Gema?

GEMA M. CAMPILLOS GONZÁLEZ: [inaudible]. I wanted to comment on what Steve Crocker has said. The only three-letter code that is in the [inaudible] have been delegated is .com, and it was many years ago, when there was no expansion of the gTLD as [inaudible] or seen. So that's [inaudible] case and I don't think it can be argued at the president to release three-character names at the top level. We are talking about the top level, not the second level, and that makes a difference I think, because it's much more visible.

In the current round, there are around 960 three-letter names have been delegated, and none of them, of course, is the [inaudible], but very few of them are in other reference lists, because other reference lists like the ITU, the International [inaudible] Committee, [inaudible] and so on tend to be very similar to the ISO 3166, so from my point of view, there is no legacy situation that – there is not a past experience that binds us to forget about the reservation. I think that it's not a valid argument to release the three-letter names at the top level. Thank you.

THOMAS SCHNEIDER: Thank you, Gema. Actually, it was my fault, and I've put it already in the chat that I confused it. This is when you have too many similar things

that are the same but different. This is, of course, not for three-level codes on the second level, but on the top level, so it's no comparison between old legacy and new gTLDs. Sorry, I gave you the wrong example. So this isn't on the top level. So thank you, Gema and the others on the chat for correcting it.

We are basically over I think, but again, I think the advice is straightforward: don't change anything with regard to the protection of the non-release of three-letter codes on new gTLDs, unless there's a consensus to change anything.

We have one last item, and I hope you have five minutes left to quickly look at this. We already touched upon it under the other issues information section. That was not specific advice, but rather, information, which is the IGO, issue of protection of IGO names and acronyms, where the rationale is fairly short.

It says that the idea of the advice is basically to encourage support, to engage with the GAC and the GNSO in order to come up with a solution. It has two elements: one is that the GAC thinks it's good and necessary to have all parties that are relevant to this included in this small group, into that formal process that is trying to find a concrete solution acceptable to all, i.e. that the GAC works with IGOs, with the Board and with the GNSO in particular, who was not there at the table in the beginning, because it was felt that this was good for a first step, but given where we are now, there is a strong feeling from the GAC that the GNSO should also be at that table when we discuss these informal proposals in these small groups.

That's at least my interpretation of the first piece of the advice, and the second one also rather simply just says that given the fact that we realized in our exchanges that some members of the Board, some members of the GNSO are new to the Board and new to the GNSO, and they don't recall or they don't have the whole history of this discussion since five, six or whatever years ago, whenever that started, which is actually something that can be good.

Sometimes new blood or new flesh is useful. It was felt that that is basically an offer or an urge that the IGOs themselves, who are the ones with the long standing experience, that they are included, and this is an offer to these newcomers, that basically, they go and talk to consult the IGOs about these issues, as the newcomers may not have all the legal backgrounds and all the information about the damages that an abuse of these names may cost, so these are the two elements.

One is to – first is an advice to have everybody at the same table, and the second one is to actually use the experience, competence and knowledge of the IGOs to build the capacity of newcomers why this issue is so important from a public policy point of view. That would be my explanation of that piece of advice.

Any questions or comments, remarks on this piece of advice? Now I'm losing connection on Adobe again, so if anybody wants to say something, just step up and speak up on whatever [inaudible] that you're connected to.

If that is not the case, I think – now it's getting back on my computer. I hope that this is also an advice that's fairly easily understandable. I think

we can conclude the discussion of advice, and maybe ask if there's something under any other business that somebody would want to raise now, knowing that we're basically out of time, but it's something that somebody feels very strongly about, I think we should give that person a minute or two.

STEVE CROCKER:

Well, look. This has been a very contentful, and I think it turned out to be a quite helpful call, and so I applaud the initiative. What will happen after this is, certainly from the Board perspective, we're going to digest a lot of the conversation that we've had here, and then continue the process of absorbing the advice and then making decisions about it.

Speaking just for myself and not necessarily for the whole Board, I certainly have found this interaction helpful in providing a little more clarity and detail behind some of the words that are in the communiqué, and I'm sure some of my colleagues have been following things more closely and understood the nuances, but I also suspect that some others of my colleagues have appreciated and found helpful getting into this level of detail on this call, so thank you.

THOMAS SCHNEIDER:

Sorry, I was on mute. I think if there's nothing that we absolutely necessarily have to discuss, I would like to conclude by thanking everybody. I think we all learned a lot again, and it won't probably be the end of our learning experience, but I think that helps us improving our communication, improving our understanding, avoiding misunderstanding. There's a lot more work to be done, but I think we're

on the right track, and I would like to thank everybody on the call for joining this exercise. I thought also personally it was very useful, so thank you very much, and have a nice rest of the day.

Just to recap what we said before, this call has been recorded, and it will be sent to GAC and Board members, and then posted on the website. Okay, thank you all, and have a nice rest of the day, whatever that may be. Thank you. Bye-bye.

STEVE CROCKER: Bye, everybody.

[END OF TRANSCRIPTION]