
MAARTEN BOTTERMAN: Hi there, Maarten in the call.

GULTEN TEPE: Hello Maarten, thank you so much for joining us today. Please take it away.

MAARTEN BOTTERMAN: Thank you very much. Manal, you're also online and you have speaking ability?

MANAL ISMAIL: Yes Maarten, thank you. Can you hear me?

MAARTEN BOTTERMAN: Yes, excellent, excellent. So sorry for my struggle but very happy to be here and thanks for facilitating this call, Peggy and Wendy. We're here for this call, the focus is really on clarifying the questions that came out of the communiqué from the last ICANN meeting and for that the document is shared.

I think overall what we see is in the process that communication get's clearer and clearer. We may not need a very long call, but I think it's a very useful way to make sure that we understand each and that we, the board, is preparing the right kind of answers for the issues raised by the GAC in this communiqué.

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With that, we have Christine to take us away on this. Can you lead us to the questions, please? [AUDIO BREAK]

Is Christine there?

GULTEN TEPE: Christine, you are on mute, we cannot hear you at the moment. [AUDIO BREAK]

MAARTEN BOTTERMAN: Christine, I think we hear you now.

CHRISTINE WILLETT: Hello, this is Christine, can you hear me?

MAARTEN BOTTERMAN: Yes.

CHRISTINE WILLETT: Thank you very much. The first item of advice is the GAC's advice on the topic of Intergovernmental Organization Protection. I know that the board is well aware of the ongoing and longstanding advice on this, but at the moment I don't believe the board's identified any clarifying questions on this topic.

MAARTEN BOTTERMAN: I think that is correct. Exactly as she said it, it's an ongoing interest and we will continue to follow this, of course. The second item brought up, we do have some clarifying questions, right?

CHRISTINE WILLETT: That's correct. The second area of advice from the GAC is about enabling inclusive, informed and meaningful participation in ICANN. In the notes provided, if I may adjust the score card here, the board provided the GAC some information on the material that the organization currently provides to the GAC to facilitate their participation in the community and their ongoing work.

The question here would be, in addition to the material already being provided on the PDP Policy Development Process Updates, the Learning Courses on the ICANN Learn Platform and the Executive Summaries, is there any other specific materials that the GAC might suggest or types of materials which would be a value to the GAC's work?

MAARTEN BOTTERMAN: Please, Manal.

MANAL ISMAIL: Yes, thank you Christine, and thanks, Maarten, and thank you everyone in the call. Just very quickly in response to this and [inaudible] seems to be a good time as well; in fact this [inaudible] not really meant to introduce new mechanisms, but rather to make the current mechanisms more effective. I can see this in two parts and also has been shared jointly with the ALAC in our joint statement.

Two parts here, one on the process itself and one with reference to the substance. So we're really interested in seeing substance that can be easily understood by non-experts, non-native speakers, non-ICANN insiders as well. In terms of process, I think we were speaking more to a document management system, where it is easy and quick to relate the shared document to the relevant process to know also the intended recipients so that the documents have a title, a date, a reference number, if you see what I mean.

It was not that the current mechanisms are not enough, but we were trying to make this more efficient as a source. I hope this sheds a little bit more clarity on the advice itself, and I'm sure the joint statement also has much more details in it. I also look at my GAC colleagues and see if you would like to provide more clarity on this. I'm happy to answer of course any questions.

MAARTEN BOTTERMAN: I see Kavouss's hand. Kavouss?

KAVOUSS ARASTEH: Good morning, good afternoon, good evening. When this issue was discussed in GAC, I was not in favor of sending that to the board as an advice. I said that this is a normal communication, but I am a little bit surprised that you seek clarification, the text is more than clear because sometimes they receive the document, they don't know who has issued the document. We don't know the purpose of the document. We don't know the date of issue of the document and we don't know what actually is required.

This has been very clearly mentioned in the GAC document. Could you kindly clarify that? What other clarification you require? Is it more than clear? If I read that, it's more than clear. "Develop a simple and efficient document management system that allows non-experts to easily and quickly access and identify documents, starting with defining minimal requirements that ensure that every document has a title, has a date, has a reference number, identifies two orders, indicates intended..." everything is clear. So I don't understand the question of distinguished Christine. What clarifications you ask please on this? Thank you.

MAARTEN BOTTERMAN: Thank you, Kavouss, very clear. I think if you point at those things, they were very clear in the text. As the text was so clear, we weren't sure whether there were specific points that were of concern up and beyond the very clear text. In addition, we've also received indeed the joint advice of ALAC, so thanks Manal for pointing at that as well.

Christine, I don't think we have further questions on this. Anybody on the board that feels there is more to ask? Otherwise --

BECKY BURR: Maarten, this is Becky, just for clarification, I think ICANN Board is in fact developing a document management system. I just wanted to make sure Kavouss was aware of that.

MAARTEN BOTTERMAN: Okay, thank you. Manal, please.

MANAL ISMAIL: Thank you, this for perfect for here as well, Becky, and through the GAC secretariat as well we can try to help in this and coordinate to make sure that GAC's point of view is taken into consideration; I mean the GAC [inaudible] along with ICANN staff. Thank you.

MAARTEN BOTTERMAN: Thanks. As I understand, there is no specific view concerns, but it's really to continue to improve these communications as work is already doing as a priority with GAC. Appreciate that and also [inaudible] for pointing out ALAC/GAC joint easy access. With that, let's move to the next item, Christine.

CHRISTINE WILLETT: Thank you, Maarten. The third area of advice from the GAC is on the General Data Protection Regulation and WHOIS, and we parsed the advice into four separate segments. The first area of advice the board has one clarifying question, and in the score card provided to the GAC, the board noted that it was a compliance statement issued on to November which balances the interest of maintaining the existing WHOIS service to the extent possible while complying with GDPR.

The statement also asks the community to submit models to the ICANN Org to inform further work on GDPR. The question that we had was, does the GAC plan on submitting comments on the models proposed by the community?

MAARTEN BOTTERMAN: Manal, please.

MANAL ISMAIL: Thank you, Christine, and thanks, Maarten. The short answer to this is yes of course, the GAC intends to provide comments on this. We currently also have questions that we are compiling following our call with ICANN Executive,s and as agreed on the call, those questions will be shared shortly, but we also noted other developments that might request further questions as we go.

But regarding the models, the GAC is definitely interested and will surely provide comments on the models when submitted. Again, I welcome any other comments from GAC colleagues on this, particularly GAC interested colleagues on the call. Thank you.

MAARTEN BOTTERMAN: In that may I also ask, you had a clarification call with the Org, I hope that was useful and I also hope you appreciate the website that we used to keep people up to date. Kavouss?

KAVOUSS ARASTEH: Again, I would wish to receive comments from the board. What problem or clarification do you have with item one, assisting law enforcement, what raises investigation and enforcing national and international law. Number one, I don't really [inaudible]. Do you have any question on that, distinguished board member? Anything that's not clear on that? Do you have any problems, any clarifications, please?

MAARTEN BOTTERMAN: No, I think the rest of the explanation is pretty clear. As I said, in general, the communication is such that most of it is pretty clear, we just had some additional questions to make sure that we didn't miss anything, but these points have been abundantly clear made and we are aware of those.

KAVOUSS ARASTEH: May I suggest something if you kindly agree?

MAAARTEN BOTTERMAN: I'm sorry?

KAVOUSS ARASTEH: May I suggest something if you kindly could agree with that?

MAARTEN BOTTERMAN: On what? What do you want to suggest, please?

KAVOUSS ARASTEH: On this item three. Can you take a sub item or sub items? Sub item one, assisting, you don't have any question. Go to sub item two, assisting business and other organizations. Do you have any clarity attention required on this item two of the GAC advice?

MAARTEN BOTTERMAN: We don't and that is why we didn't ask any additional questions on those. I think the advice is very well formulated and very clear. I think we fully understand what is meant by the GAC with these questions. Does that help?

KAVOUSS ARASTEH: Yes, if you want to continue of that one, trying to say that [inaudible] accessible for security and stability. This is also I think quite clear. Is there any [inaudible] on this paragraph?

MAARTEN BOTTERMAN: No, that was the paragraph, what's been expressed here is clear mostly, otherwise we would have asked clarifying questions. I think we are aware of the continuous work from the organization to make sure we become GDPR compliant, but also remain our other tasks up and running.

We hope that the current way of communicating on that is clear, and in addition obviously we're very happy to hear that indeed the GAC plans to continue to also come back on the models which we feel could be useful for the debate in the community. Again, thank you very much for that clarification. No other questions on GDPR from our side at this point, right Christine?

CHRISTINE WILLETT: Yes, we just have a few more comments in the score card table Maarten. I apologize, I just want to note that perhaps for those on the

phone who are not in the Adobe Room and cannot see the table being presented, perhaps I was unclear.

There are four portions of the GDPR advice. Section A is about the WHOIS Principles and that they reflect the important public policy issues; and under A there's a A1, 2, 3, 4, and so with a general question about the fact that the community will be submitting models and the clarifying question was whether the GAC was planning to submit comments on those proposed models. This was the general question for both advice item 3A as well as advice item 3B, which is pertaining to compliance with GDPR and WHOIS, and creating a system to facilitate legitimate activities recognizing those principles. Portion 3A and 3B were both addressed with that single question.

Moving on to Section 3C of the GDPR advice, urging the ICANN Board to seek information from outside counsel, we noted that the GAC's questions regarding GDPR have been shared with the Hamilton Firm as part of the legal analysis and we provided a link to those materials, if that's helpful, but the Board didn't have a clarifying question on Item 3C.

And then item 3D is advice urging the Board to address that this is an urgent matter and that any design or implementation needs to be transparent; and in addition to the ongoing conversations and dialog between the Board and GAC members, we also noted here in the score card that the questions have -- we also provided a link on updates for the ongoing GDPR discussions with the community. Those are the A,B,C and D portion of the GDPR advice. I'll hand it back to you, Maarten.

MAARTEN BOTTERMAN: Thank you, Christine, and thank you for reminding me that there is people on the call also who may not have this text and benefit from your reading it out. Also, to the remarks from Kavouss earlier, when we asked advice, do we know if we understand? Basically, communication has gotten increasingly better and so in that way we have very little questions.

On the fourth point that the communiqué mentioned, the application for Amazon and related strings, in fact we do appreciate that progress is made, but we don't have questions about the remarks made in the GAC communiqué on this either. Therapy has progressed a lot, Manal, thanks for that. I think that's one of the signals that we do improve our communication as well on the other remarks that you had at this point. Manal, please.

MANAL ISMAIL: Yes, thank you, Maarten. Just a quick remark. First of all, I'm happy to see that we only have two clarifying questions which directly implies that GAC advice is here, which is something good to know. Second is that we also appreciate the notes; even if there are no clarifying questions, sometimes notes are shared on the advice from the Board which is also helpful.

Finally, as discussed with you earlier, Maarten, just to make sure this is brought up here as well. The GAC also expects a Board response on the section called Follow Up on GAC Previous Advice, and it would be good

to know if the Board by the full looks into this section or do we need to address it differently so that we can get a response to this as well.

MAARTEN BOTTERMAN: Thank you, Manal. Basically, obviously we read the whole communiqué, as many people in the community will. I think for clarity sake in the process, it would be useful if those issues that you really want to discuss with the Board, you ask in that specific session, just to make sure that we don't forget something. As you mentioned it to me, we looked at it and for sure also at this moment we don't have clarifying questions on these issues. I think in that way -- in the GAC Board Section you focus the requests clearly on what you actually want that formal response. Would that work, Manal?

MANAL ISMAIL: Yes, thank you, Maarten.

MAARTEN BOOTERMAN: Okay, thank you. Kavouss.

KAVOUSS ARASTEH: Two things if you allow me, please. The first one is, it was requested [inaudible] we advise the Board to take the facilitating role. My question, can you reply or maybe you should reply, have you taken any action for this [inaudible] or not? On dot Amazon.

MAARTEN BOOTERMAN: On dot Amazon?

KAVOUSS ARASTEH: Yeah, any facilitating [inaudible] you have already advertised.

MAARTEN BOOTERMAN: On dot Amazon -- I mean as I understand, the process is still going on and we fully supportive of that. Other than that, we will get back fully on that in our response to the communiqué, if that's okay?

KAVOUSS ARASTEH: That was not my question.

MAARTEN BOOTERMAN: What was your question then?

KAVOUSS ARASTEH: My question was, the communiqué mentioned advise the Board to continue facilitating negotiation between Amazon Corporation, [inaudible] organizations and so on and so on, a number of the Amazon issue; my question is that, have you taken any facilitating role for that negotiation, for either of the parties or you just left them alone for the time being without any action? That was my question. If you may reply, please advise; if you don't want to reply, then that's [inaudible].

MAARTEN BOOTERMAN: I think the question in the communiqué is understood, yes. And yes, it does have our attention and we will get back on that in the full reply as well. We all want the dot Amazon to come to a satisfactory conclusion and we continue to be committed to help facilitate that where we can.

KAVOUSS ARASTEH: I have a second question if you allow me, please.

MAARTEN BOOTERMAN: Yes sure, please. On dot Amazon specifically.

KAVOUSS ARASTEH: Yeah, yeah. It is not on behalf of that because I don't have that role. It is not on behalf of some members of the GAC because also [inaudible] but my own behalf is that in fact many GAC members also have the same view, you can read it; what it is excepted, not that the issue comes back to GAC, the issue is resolved within the ICANN Board and the parties. Amazon Corporation [inaudible] not bring the matter of GAC advice on Amazon which was done already back to the GAC.

This is a matter to be resolved outside because if you bring it back, many other issues which have already been completed and advised and even implemented, people may use the opportunity to try at this, to bring it back to GAC. We have sufficient workload and we have less time available, it may not be productive. It will bring the issue of dot Amazon back to the GAC to revive its advice. The issue as far as I'm concerned is that the matter is in the hand of the Board and the two parties. Thank you.

MAARTEN BOTTERMAN: Okay. This call is not intended to really go deep on how to deal with dot Amazon, but thanks for sharing your concerns. If there's no other specific questions on this, from our side it's very clear and we appreciate the opportunity to test out, to make sure that we got it right on a couple of points.

I see there is a discussion on the typing list as well, on making sure that it's crisp clear from the communiqué what is asked to the Board and there's different ways to do that, so we look forward to that. With that, I think from our side there is no more questions to you, Manal. I think this was a good and short call then, right?

MANAL ISMAIL: Right Maarten, thank you very much, and thanks to all Board Members and GAC colleagues. I really appreciate this exchange and I think it's very useful for both sides, I hope. Thank you.

MAARTEN BOTTERMAN: Also from my side, thank you everybody for joining this call, and obviously our tireless colleagues from Org for preparing this as always. For those we don't see in Geneva, happy days and looking forward to see you in the next year. For some others, we'll be in touch next year in Geneva. Wishing you well and the rest of the time is yours again. Thank you very much.

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