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James Bladel: Welcome to the members of the Board Working Group on Internet Governance and thank you for taking the time.

Now we have George, (Unintelligible), Markus, (Unintelligible), Renalia and (Unintelligible) was here. Oh there he is, okay. (Unintelligible)...(unintelligible).

Well welcome. I don't know that we had a specific list of topics. I think what we want to do is to discuss generally (unintelligible) enormous activities and how it interweaves with (unintelligible) -- all of those (unintelligible).

Heather and I believe, Markus, you are the Chair of this particular working group, so if you don't mind, I can certainly turn it over to you for introductory remarks?

Markus Kummer: Thank you, that's correct. Yes. Good afternoon, pleasure to be here.

Well we took a while in this working group (unintelligible) in the making (unintelligible) of (unintelligible) two years ago. And we felt that there was a maybe a need to have a call group of four members interested in the governance issues to get together and also develop a bit of strategy.

And we managed to do that. I think we have a (unintelligible) from the entire Board into (unintelligible). We can engage in strategy in the Internet Governance.

(Unintelligible) developed with us ICANN (unintelligible) sort of filters which to look into Internet Governance activities. The first one was that ICANN is fully engaged when it relates to its mission and issues related to DNS, (unintelligible) that (unintelligible) and related to the ITU.

The second field, be more supportive activities when ICANN is in the supportive role in defending the model (unintelligible) of the organizations and just the Internet society may take the lead.

The third one was they have a selective engagement with issues related for its (unintelligible) where ICANN takes up issues related to DSN sake or human rights issues related to ICANN's core mission (unintelligible).

This is sort of the broad filter through which we look at engagement. And that's, as I said, that's, I think, a very positive development to be on the same page with the Board.

We had to also regulate our actions with the Cross-Community Working Group on Internet Governance and found that was very helpful. There are more and more meetings (unintelligible) and the condition is by no means the end of Internet Governance discussions. Meetings related to Internet

Governance have (unintelligible) from (unintelligible) through the meeting, time and security which will take place in November in Delhi.

And it's obviously as ICANN Org tries to follow as many as possible as (unintelligible), but they cannot get involved in all.

I think it is very helpful if also community members are attuned to the needs and priorities about this where we find the interaction with the Cross-Community Working Group on Internet Governance very helpful. But, you know, also a common understanding (unintelligible) committee where ICANN stands and how ICANN should engage.

And I do understand that there have been questions related to the nature of this cross-community working group. Here, I think, well I, at least, I am agnostic and I think also the other members that I invite to chip in.

The structure of the group is, to me, of primary importance. A primary importance is to have an (unintelligible) of the group where the entire community comes together and where it can discuss issues related to Internet Governance -- which may also have an impact on ICANN the organization.

And the last word, (unintelligible) strategy is not the end of Internet Governance. And if anything, ICANN is in a more delicate position without having the shield, the protection of the U.S. Government and contract that protects ICANN from multistakeholders -- so to speak.

It's that, I think, a complementary introduction to (unintelligible) and also, of course, invite other members of the group to fill in gaps I may have missed.
Thanks.

James Bladel: George. Sorry, that means its Cherine's turn. Thank you Markus.

I think that, first off, do any of the other members of the Board working group like to add to add to Markus' (unintelligible)?

The first question that comes to mind for me is I think you've identified what areas the Board Working Group, what topics they might like to engage upon.

But I think one of the questions I would have is how do you, you know, what do the nuts-and-bolts look like? How do you take a direction from the full Board to engage in a particular event or forum, or do you make proposals to the Board? How does the working group interact with the full Board?

Markus Kummer: Well, as I said, we have -- over the past three years -- with ICANN Org developed this engagement strategy and brought that to the full Board to discuss it with the full Board. And (unintelligible) everybody automatically agrees with everything. We obviously had discussions on that.

And the positive thing is we now, I think as a Board, are on the same page where ICANN should engage or not. But the engagement is then mainly ICANN Org. I think (unintelligible) between the acting of the Board.

And with cross-community working group we discuss the same things. The cross-community working group can engage through its members, first in meetings, but also ICANN Org is the driving force. The working group has more provided the broad strategy which has been endorsed by the Board -- which essentially supports what ICANN Org is doing in this scene.

James Bladel: Markus - Cherine.

Cherine Chalaby: I'd like to comment (unintelligible) interest of how we decide a number of Board members (unintelligible) to the good of the global ICANN. So (unintelligible).

All right, can you hear me now? Yes, okay. Sorry, I was (unintelligible). I have detractors here but, you know, never mind. He lives in Norfolk.

So what I said, if it's of interest to you, I'd like to comment or give you an idea and insight of how we make a decision on the number of Board members that will go, for example, to the Global IGF.

So one thing we want to do, we don't want - and this is a policy that we have collectively agreed as a Board. So what we don't want is Board members just like every Board member turning up at the IGF at specific role or anything to do. I think that gives the wrong impression and the wrong image.

So we work very closely with ICANN or particularly the government and engagement group -- (Pataric Hamel)'s group -- and discuss with them what are the number of possible groups Board members can have at IGF and various meetings such as whether these are speaking roles or panelists roles or need to be there to meet on behalf of ICANN or certain members investigate any results of (unintelligible).

So we really want to be very specific that the Board member is not just going to walk around. That will be, in part, you know, not a spoken way of opinion -- not an effective way of (unintelligible).

Our experience today, and then once this is done, we discuss with the Board members, we want to know whether they (unintelligible) at all, that once they agreed, then we finalize the number.

The number is usually somewhere around eight members to the Global IGF. I have not spoken about. So Geneva is coming. (Unintelligible) Geneva.

So that's usually the number on average 8, 10 and sometimes 11. We don't have a fixed number. The most important thing is that we have to be effective (unintelligible) doing, more than just (unintelligible).

James Bladel: Thanks (Unintelligible). I have Goran, Lousewies, Rinalia.

Goran Marby: Maybe I should wait because I'm slightly off topic but in topic because it's - we discussed this yesterday a little bit, James.

We're also trying to do something else with relationship to GAC. But that comes back from the - when we've done now the flow charts, there are a couple of things that we now see that we have to improve -- which we are talking to the Board about as well.

And that is how can we sort of help the different cross-communities to have a communication that works before decision-making process because we realized -- which you probably already know to this -- that if everybody works according to their own charters and their own way of doing things, you always meet to the (unintelligible).

And I know there has been mention of some trials how to have the SOs (unintelligible). The problem is that that becomes a full moon construction where someone has to decide to share information with the other -- which is hard for the GNSO and it's hard for the GAC as well.

So what we're trying to do now -- and hope you agree that that's a good idea -- otherwise I won't -- is that (unintelligible) from ICANN or we try to figure out a way of establishing helping you to get information of what is the discussions within the GAC.

And at the same way, we would like to provide to GNSO with the kind of discussions without having to wait for, you know, so we can continue to discussions because it's (unintelligible) discussions within the GAC and also GNSO.

We are not participating. We are not doing anything else but just trying to figure out a way of information sharing on a more structured basis between the different communities.

And why may else do I interfere in that one? Solely because I think that I believe that with better information maybe we can avoid -- some people would call them mistakes or lack of information, at least, because of the structured setup that everything meets at the end of the (unintelligible).

That is also one of the things that I'm (unintelligible) with Markus and the rest of the Board talking about. We're not there yet, but I'm just sort of unofficially sharing with you now how the Board (unintelligible).

But I would hope that you will help us with such an experiment later this year when we come back to you and report how we can do that.

But again, it's really about trying to facilitate a better information flow between the different parts of the community (unintelligible). Thank you.

James Bladel: Thanks Goran. I have Lousewies, Rinalia and then Phil.

Lousewies van der Laan: Thank you very much. What was interesting for me -- not coming from ICANN or from the IG space, is to see the divergence of use about whether and what ICANN should be doing at all.

And there's really a spectrum. And you could say one extreme of the spectrum is like, no, I can't help to coordinate how the Internet works in such a logical layer. Governance is other people's business. But out.

At the other end, you have (unintelligible), it's not going very well. Any kind of problems that happen in the government space are going to come back to haunt us. The governments don't seem to be doing particularly effectively

their job of actually fixing the problems on the Internet, and et cetera, et cetera, so we need to be involved.

I think what's been really impressive about the process working with this (unintelligible) is that at least we now know, you know, when we should be engaging, how we should be engaging, and that there are certain rooms that we have to fit in because they're actually discussing the DNS -- which is the essence of (unintelligible).

There are those where we're going to work with other people and make sure that, you know, everybody knows what's going on. And so that if someone gets up -- and I've seen this happen many times in governance forums -- someone who stands up and says something about ICANN which is nonsense because they have an agenda, that at least there's someone in the room who can stand up and say, "I'm sorry but you're (unintelligible), et cetera, et cetera." That's an important part of the process.

And there are areas where there may be nothing happening right now, but where it's important that our partners, you know, let us know what's going on in case the situation in one or two is developed. And I think that's been really helpful.

And having been to your (unintelligible) a couple of times, having been to IGF, I think the biggest challenge that I see is that the Internet has grown so big and so all encompassing so fast, that there is still a scramble to fix the problems on the Internet.

And I come from the government space. And governments are not used to seeing a lot of problems and not knowing what to do. They are feeling like, you know, an alphabet (unintelligible) faced with a text. They really don't know what to do there.

They have a lot of pressure to fix every single problem on the Internet be it (unintelligible), recruitment for terrorism, copyright infringement -- you name it. But they don't know how to go about it technically.

And they know that by the time they get together -- after a 7/15 year process and have an international treaty against, you know, porn on the Internet -- which they may never come too -- it will probably be too late (unintelligible).

So there's a lot of frustration there. And I think and I think this is why your point is so very important.

The more we can get governments within ICANN -- within our multistakeholder bubble -- to our GAC to understand how this part works, that makes a huge difference. And then we have to make sure that they have the know-how because a lot of them are understaffed, under resourced, (unintelligible) of the GAC, they've got seven other jobs going on. They're not necessarily the director -- they don't necessarily have a direct link to the minister.

If something happens on the Internet, they're like, "Hey, don't we have some guy doing something with the Internet?" And then that guy has to almost come to us and say, "Hey, can you do this?"

And so the challenges there are immense. And this is not something that the Internet (unintelligible) working group or Internet Governance are necessarily dealing with, but I think it's something we should all be concerned about.

And I'm really happy we have a new process now with the GAC of how to deal with GAC communiqués, how to engage more deeply with them. But it's really, really important that we make sure that at least things that are within our remit and that we can have a dialogue on, and that people can help stakeholders more to understand what ICANN is, that we encourage them

and enable them to go back to the governments where they may be one out of a huge system so that they can do their work.

My fear is -- my personal fear is that -- is we cannot get governments to feel that they are part of this system and that they're getting their business done and their (unintelligible), they will take their business elsewhere. And that is a serious risk and that is where the big challenges are.

And if you look at what's happening in the ITU, you know, and certain governments say, "Oh, let's look at the old Internet and things (unintelligible) and that way we can circumvent the DNS up together." You know, these are things that are happening, we have to keep an eye out.

And it may be a long-term risk, it may be a short-term risk, it's very hard to assess. But this is the kind of stuff that I would like very much for us to be concerned about as well because this about the long-term sustainability of our model.

James Bladel: If I can follow-up with a question on that. What can - I mean I think that's a huge - you've outlined a (unintelligible) global geo-political problem as it relates to Internet Governance and the Internet.

What can we do -- either through the Board Working Group or the Cross-community Working Group or even just the individual SOs and ACs -- what small steps can we take to back on that?

Is it more facilitation? I don't mean to take the queue off track here. We have Rinalia and Phil. I think you've raised a very big mountain of a problem. I'm looking for where we do we take the first step.

Lousewies van der Laan: I mean one of the things that I think has really improved dramatically is the way we deal with GAC Communiqués. The fact that there's a system, there's deadlines, that not every GAC Communiqué starts

with, "You guys didn't respond to our last communique." But I mean a lot of times it's talking through the Board to you guys.

And my impression is that when something new comes up that you explain to them why it's coming up, how it's coming up, how it might effect them, how it might now affect them so that we don't have a situation where two or three years later, they're like, "Wait, this is what happens?"

And then if different people -- it may be a government minister jumping in or something to - you guys have the know-how, you have the personnel, you have the money, you have the experience -- you have everything they don't have -- and I think the strong partnership of this group to the GAC. So that - because all we do is kind of think (unintelligible). And I think it's really important to make sure that direct dialogue is there.

James Bladel: Thank you. Rinalia and then I have Phil and Tony.

Rinalia Abdul Rahim: Thank you James. One of the things I wanted to flag is that in our discussions with the Board that we discuss a principle that is a good idea to support community members participating at IGF in terms of travel funding, et cetera. And that, of course, has to be addressed in terms of what's appropriate and within budget constraints.

And I think that an alignment with what ICANN is interested in -- based on the three layers that Markus had identified on how we engage -- that I think is the way forward. And I think every year, it has to be looked at with the team to see what's appropriate. And it may not be possible to fund everyone, but I think it's important to have community members there. Thank you.

James Bladel: Thanks. Phil and then Tony. Phil?

Phil Corwin: Thank you James, Phil Corwin for the record.

Starting off, I think it's good that the Board has this focus. I think it's important that ICANN -- while sticking to its mission and recognizing its limited remit -- interact in a coordinated fashion with other groups that are considering related Internet issues. So I think it's a commendable effort.

And it's good to see the Board is doing it and not just having Board members show up at different meetings without reporting back and without having a consistent message.

But Markus, my ears did perk up when you said that there was a perception within the Board that post-transition that ICANN is more open to a hostile takeover -- is the term used.

Now I do perceive personally that the GAC post-transition is kind of pushing the envelope somewhat and testing the limits of its power in the new arrangement. And I'm aware that some GAC members have never been strong proponents of the multistakeholder model and from time-to-time will say, "Well, if you don't make us happy, we'll take our marbles to the ITU." And frankly, they think that a bunch of government telecom ministers are going to solve their Internet problems because they'll (unintelligible).

But I don't perceive the risk of a hostile takeover in the sense that ICANN's not a public corporation where someone (unintelligible) take an unsolicited bid at a share price and buy up control and replace the Board.

So could you elaborate a little on - I have a feeling that what you meant is not really a hostile takeover, but I am concerned that the Board sees some greater threat post-transition. If you could really just fill in the blanks a bit and explain what you meant by that statement. Thank you.

Markus Kummer: Well, first of all, thank you for your positive words of the role of the Board and its (unintelligible). I have to apologize that if I gave maybe the wrong expression. These were my words and not the Board's words.

But my perception is without having the contract with the U.S. Government that ICANN is maybe more vulnerable. ICANN is a standalone organization. A hostile takeover is maybe the wrong expression.

But (unintelligible) a constant nibbling at the edges, only is on the list, and though he follows the discussions. In the ITU there are discussions on Internet things in the ITU where the ITU can play a role somewhat to this. Obviously takeover is clearly the wrong word, but nibbling at the edges, you know, where comments want to take issues related to the Internet to other (unintelligible), this is nothing new. But it's not over.

And because (unintelligible) IANA Transition, we don't have one strong government, I think, under contract. It is my perception that it will make ICANN more vulnerable.

Now I may be wrong, but this is not the Board's perception, it's my personal perception.

James Bladel: Tony?

Tony: Thanks James. Similar to Phil and I very much welcome (unintelligible) gives a really positive (unintelligible).

In terms of the hostile threat, I certainly don't think a threat, I think it's almost more of a (unintelligible) threat (unintelligible)...(unintelligible).

And I recognize within the Board, there has been a lot of engagement. A lot of people don't really understand this area (unintelligible)...(unintelligible) for a long time.

And I noticed the remark from (Charene) (unintelligible). One of the things this group takes responsibility for is engagement (unintelligible).

Does that also go as far as being within that group where Board members would actually engage in what (unintelligible) for that and how they would engage in that? And that group sort of been looking to take some form of decision-making as to who goes to future (unintelligible)...(unintelligible) to choose which (unintelligible) ICANN.

that - it's extreme that this group actually makes the key decisions as to who engages and how they engage in those (unintelligible) (unintelligible) as well.

Markus Kummer: Actually, that has not been the case so far. I mean we have a different mechanism on deciding on Board travel. Maybe (Charene) with the Travel Master can explain.

Cherine Chalaby: So this group actually checks the direction (unintelligible) of the Internet Governance (unintelligible) engagement (unintelligible) IGF.

When it comes down to - because that's just the object. Then when it comes down to who goes somewhere, we really don't, ourselves, make that decision. We coordinate very closely with (unintelligible) because they have much closer connections. The people that set the agendas, the panels -- sometimes we request panels ourselves.

In Guadalajara for example, I chair the panel on new gTLD Subsequent Procedures (unintelligible) of the discussion.

So we make the decision collectively whether it is IGF or other kind of events. (Unintelligible) the ICANN (unintelligible), yes, we can their engagement group or (unintelligible) group which is government (unintelligible) group.

And then we sit down and we really, we don't want people to just be tourists. This is not a travel fantasy or a travel program for the Board member. We (unintelligible). We want to use this to reach out to new stakeholders in order

to be able to communicate our messages or to some training or capacity building, but in a multistakeholder forum or another department.

So within the site, do we want on the agenda and with the organizers, we decide. We have our own panels, sometimes we want (unintelligible) who's going to be on that panel, who is best suited to be on that panel. Do we want to engage in other panels and just be there and talk as we present the (unintelligible)?

So we take it in a very meaningful way -- a very thoughtful -- of who and decide where to go.

Sometimes we have young Board members coming in and they need (unintelligible) several of these things, so we make them tag along with another Board member so that they gain the experience.

So for example, if Markus is going somewhere and, you know, he's not going to be on the Board or something like that, and a junior member comes in, goes along with him, learns from him, sees the experience. it's very - that's how we do it. But it's really very strictly organized (unintelligible).

Does that answer your question?

James Bladel: Thank you and that was - thank you Cherine. And then prior to that was Markus.

And I've been asked by Staff to remind folks to please state your name for the transcript and for the remote participants.

Next in the queue is Chris. Thank you.

Chris Disspain: Thank you, thank you James. This is Chris Disspain. Tony, just to add -- very briefly -- to add to what Cherine said.

If you have a particular view about - if you think there is a particular meeting going on or session coming up in the future and you think it's important that we're involved in, don't assume that we necessarily know that.

So if you want to send notes to say, "Look, just have you thought about this? This may be important, here's why it's important." And we'll end up referring that to the team obviously.

But I think it's important to understand that you can tell us as well, "We think you should be looking at this." I think we'd appreciate that.

James Bladel: Tony.

Tony: Quickly just to come back on that just for clarification, I think that's really helpful. Would that include engagement through the ICANN Regional which is in (unintelligible)?

Chris Disspain: Yes I think so.

James Bladel: Okay, Goran?

Goran Marby: I was just thinking about the self-mode. I think there's another avenue which needs to be sort of talked about, but I want to give a very effective example where we probably should have engaged.

It's something that probably from the surface didn't seem of anything to have any government engagement at all. That we are actually now, some of us are talking about (unintelligible) that and that is data protection there -- registration in Euro (sic).

And that is probably one of those typical examples where we actually should have picked that up earlier. We should have talked about it and addressed it through (unintelligible) have the government because it has an affect on us.

And I can't see that we were really there. That's one of the avenues we have to (unintelligible) specific legislations or things can have an affect on what we do -- which we can discuss.

There's a fine line between what's in our (unintelligible) and what we should do. But sort of if we can define together it has an affect on what we do which is probably find ways we engage with them.

And then we have also to engage together because for industries, (unintelligible) also (unintelligible). This happened in Europe now and it could happen in the U.S., it could happen in many other countries.

And many other countries, they're now discussing the same kind of rules. And we see other sort of rules coming up focusing on secured registration and stuff.

But I think we need to be better of understanding those specific points and also go and talk about (unintelligible). Thank you. Goran for the record. (Unintelligible).

James Bladel: Thank you Goran. I had - Carlos, you had your hand up but then it's down now. (Unintelligible).

Carlos: Thank you, Carlos for the record. We saw that you recently had a Board Meeting and you had direct contacts with the ITU. So what - I don't know if we are limited in this conversation about the IGF, but it would be interesting if there is a change in the long-standing view about the relationship between (unintelligible) the governments as representing the ITU as compared to

governments represented in the IGF as compared to governments represented in the GAC. Thank you.

James Bladel: Cherine?

Cherine Chalaby: Yes, I can comment on that. So we had a Board workshop at Geneva recently. And at the advice of ICANN Org, Guran, and again the (Taric Camel)'s Team of Government of the advisor, we should have a meeting with the IG.

So we met with the ITU Secretary General and team, they invited us to lunch in their building in the top tower. And it was a very cordial meeting. And I think the Secretary General made everybody at ease, they were not here to eat your lunch and you're not here to eat our lunch. So that's how it was.

They also said that we want to become a member of (unintelligible). Again, we said no, but we'd like to find ways of cooperating together in the future of capacity building (unintelligible) as like this.

And it was clear that there was a desire from both sides to find a way of (unintelligible) and engaging in a capacity building (unintelligible) not having a formal length.

Then they gave a present or surprise -- sort of a certificate -- to Steve because of his contribution of the (unintelligible).

But I think that was it really. Rather than - maybe my colleagues that were there, remember there was (Nigel), there was something else? I think that was it. It was a very, very nice readily lunch engagement.

Then we had a meeting after that with the U.N. -- the Director of the U.N. in Geneva -- who was directed to the (unintelligible). And the first question he

asked was (unintelligible). There was a smaller group of us rather than the entire Board.

And he said, "How did your meeting with the ITU go?" So obviously, it was on their mind and we told them that this was a very good meeting -- very friendly. And they were kind of happy to hear that the relationship is not that antagonistic or not uncooperative.

So there were two sessions with the U.N. and with the ITU and both of them were, let's say, positive. Let's put it this way.

Does that answer your question?

James Bladel: Thank you Cherine. Next is Erica.

Erica: Erica for the record. I have two questions which I would love to ask you, and I think Markus made an interesting observation because I think when it's not something -- which I just have this opinion, I had this before on the Board.

I think when one engages on Internet Governance issue, there must be (unintelligible) -- there must be a purpose.

Now before the transition, there was a kind of understanding that the engagement with other international parties related to the IANA Transition, it's important. But what does the relationship now actually? What does the (unintelligible)? I mean relationship building and it's easy at the international level because people have to meet all the time.

But what is the purpose? And I have been debating this on the Board right now because I think the comment Markus made is actually an interesting one because his question is is the risk actually now higher or is it lower after the IANA Transition?

Now that's a judgment. But I mean a judgment, it would be good to hear from you. How are you debating this currently and how is it observed -- not just by the Board -- but since Goran is here, maybe you want to comment as well. What is your observation and how do you see this as a detractor?

Second on a topic which was mentioned on legislation, following legislation a bit earlier, I wouldn't put this on the (unintelligible) law of Internet Governance actually. It's an important topic and I obviously understood that's why we have an office in Washington, and we do have an office in Brussels and we have office in other parts of the world.

So that's typically monitoring of legislation, coming back to the community as early as possible in case something is going odd or appear to go wrong, and then finding a strategy how to intervene with cooperation with the community, and then intervening.

So this would makes sense. So I think a strategy built on such kind of model would be helpful for the future. But I doubt it's actually Internet Governance.

James Bladel: Thank you Erica. Goran, you'd like to respond?

Goran Marby: Thank you, Goran for the record. It goes up and down in time what governments engages with so we try to level (unintelligible).

Right now, there are two (unintelligible). One of them is very much related to cyber security and the DNS roles in cyber security abuse, (unintelligible). Where we often spend a lot of time explaining not only what ICANN's does, but actually how the Internet works and sort of our role in that as well.

And then sometimes we act like a telephone book where we tell them these are the ones to call -- the ones to call.

And to be able to demit to work, we do a lot of capacity building -- as we call it in there -- the information sharing -- especially in underserved regions is a word I hate, but where they're building up the capacity to understanding. So often, very, very (unintelligible). So that is a major (unintelligible).

The other side of it also goes very much to (unintelligible) where we are in this space. And that is when countries are talking about (unintelligible) digital agendas. We often come in as part (unintelligible) with others (unintelligible) where countries are looking for you need to have playstations, telephone polls, electricity, where we come in and talk about the importance of having (Unintelligible) so we make sure that they speak to the numbers community.

We also work together with iSOFT and their strategies there. We took about the domain names -- the top-level domains and the importance of, you know, the globalization of it because that creates demand.

So often we - that's probably what we always do with the numbers community, with the ISO community and other ones -- a little bit depending on where you are in the countries (unintelligible).

And then you have these sort of practical issues that (Unintelligible) talked about it. And I totally agree with you. We have to better off. We haven't had that on our radar. And I think that the data protection in Europe is an excellent example where we didn't do our job (unintelligible).

We sort of knew but we never took and tried to understand how it referenced back in our context. And I think that amny ones around this table had the same feeling, we never got that. And we should be able to provide service (unintelligible) as well earlier on. Now we're sort of in the middle of it.

So that is right now, so we don't spend very much time defending the multistakeholder as such. And I think you posed a very good question there. And that is the question is this Internet Governance?

And I, to be honest, I don't know because every time someone asked me for a definition, I have one single answer. Speak to Markus please because I'm, right now, failing to see how to define it. We try to be much more practical (unintelligible). I hope this answers your question.

James Bladel: Thank you. Thank you and I think the queue is clear although there's been a fairly substantive chat/exchange going on between Matthew, Keith and Heather.

I don't mean to put you on the spot, but is there anything you'd like to share with the group regarding that chat? But it seems fairly interesting and intriguing.

Heather, if you want to maybe summarizing?

Heather Forrest: Sure, thanks James, Heather Forrest.

Look, I think the concerns have been expressed in the Chat that James is referring to go to how we really link the community and the community's efforts into this broader discussion that we're having now. It's one thing to have it here at the Council table, but we phrased a number of concerns in the last few public meetings and (unintelligible) about the scope and deliverables of the CCWG on Internet Governance.

And I specifically, I think, kicked off this discussion in the Chat about how do we better equip them, how do we better inform them. The question really was provoked in my mind when the comment was made that the Board Working Group (unintelligible) with parties that are involved within the community, and there was no mention of the CCWG. There was mention of the Subsequent Procedures PDP but no mention of the CCWG.

We've expressed concerns in a previous Council meeting about what CCWGs are for and if that's the right vehicle. We've also expressed some concerns in the Chat -- and Keith and Matthew both followed up on this point -- as to how do we ensure accountability. There's sort of outward and then inward accountability.

How do we send those folks out with a message that's endorsed by the community, and then how do we get that accountability and transparency back so that we know where they've been, what's been said, what coordination they had with the Board committee? And that communication's loop is not established.

And to the extent that it can be established, then that needs to happen very quickly. And to the extent that it can't be established, then we have to come up with a different way of doing this and having the community involved because that does not exist. And that group has been asked by the GNSO Council to go back and reflect on its existence and how can we firm some of these things up, and we're still not there.

So I think this particular discussion that we're having now was a particularly good one in the sense that you've given us a chance to verbalize some of these concerns within a broader context. So thank you.

James Bladel: Thank you Heather, thanks for contributing that. Markus, I think, would like to respond and then we have Stephanie, and then we'll probably have to get the time.

So Markus?

Markus Kummer: I'll try to brief. I agree with the discussion, and thanks, Heather, for your comments.

I sense my introduction remarks as regards to the structure of the CCWG (unintelligible), but I strongly believe that it's important to have this interface with the group from the community where we make sure that the broader ICANN community is on the same page on these issues.

We will have a joint session tomorrow with the Internet Governance Working Group with the Board group and the CCWG where it can take a position on how to precisely address these questions. Thanks.

James Bladel: Thank you Markus. And the last word goes to Stephanie.

Stephanie Perrin: Thanks very much, Stephanie Perrin for the record.

I'm just responding to Goran's remarks about data protection -- just one voice of course saying -- I don't see how these can divorce, basically, human rights from Internet Governance because civil society certainly regards it that way, you're going to run into those issues with this all the time.

And far be it from me to say that data protection is a solved problem, but we do have 109 laws now that are roughly homologous.

A harder problem, it seems to me, is constitution of protections -- which we're getting more and more court cases. And that does act to keep data local -- more in fact than the data protection legislation. So it would be my view that we're behind the eight ball. That's a bigger problem.

I wonder if the GAC is at all interested in that problem because they must see the Supreme Court decisions coming down in each of their jurisdictions.
Thanks.

Goran Marby: For the record, it wasn't my intention to any way disqualify any other discussion. My intention is that we should find a mechanism that we can actually bring those things up.

And now in the bigger (sic) discussion about the data protection issue, it's important for us to be able to (unintelligible), so for both sides of the table about the ongoing discussions (unintelligible) because I don't take - my roll often is to serve the community-decided status quo (unintelligible). It's up to the community to handle those issues.

But to what I'm talking about is that to get their (unintelligible) -- to understand what's actually going on --- I think we need to better understand how to do that.

So it's no intention of taking a side step (unintelligible). So I did so on (unintelligible) point.

James Bladel: Thanks. Chris?

Chris Disspain: Yes, sorry. Thank you James. I just wanted to close a loop on the CCWG -- which is what (unintelligible) which is what we were talking about before.

I want to make sure I'm understanding correctly. If I'm understanding correctly, there are some concerns about how the way this is structured or stuff like that. I get that.

So I just want to be clear, from I think the Board's point of view, we think that there needs to be an interface or (unintelligible). If you're struggling and you need any help in how it might be structured that would be best for us to the point of your having that interface, we'd be very happy to provide you with that, you know, with that included and the systems -- especially (unintelligible) right now. It's not actually working.

James Bladel: Thanks (unintelligible). There are two concerns if I can summarize. The first major one is the structure, and then the second is how that group (unintelligible) all the entire community and then presents a unified position

into Internet Governance topics so they can credibly represent the entire community. And I don't know that that part is as clear right now.

Okay, very intriguing and engaging stuff and certainly not something that's going to end here or next meeting or in the next 20. But, you know, we just keep fighting the good fight and go forward.

So I would want to thank you -- all of you -- for allocating some time here at the Policy Forum. Everyone's time is particularly scarce at ICANN meetings and even moreso during these mid-summer (unintelligible).

And thank you for time, thank you for engaging with us on these issues, and we look forward to further discussions. Thank you. We can pause the recording.

Yes, I meant to say maybe year.

Man 4: You just assume that everybody's calendar changes, it's American imperialism.

James Bladel: Well, if we could start making our way back to the table, we're a little off schedule here eating into AOB now. But, you know, we need to get going.

So the next and final agenda item is another update from a PDP. And this one is a little bit further along in its work. It is the Access to Curative Rights by IGOs and INGOs.

And the leader of this particular PDP is Phil and Petter. Phil, is Petter here? Come up to the table, Petter, if you'd like. And we'll go through a quick update of this PDP and in particular some of the issues, I think, as you start to circle around landing on the final report.

So Phil, if you don't mind? Take it away.

Phil Corwin: Thank you James, Phil for the record. (Unintelligible).

Okay, here's our timeline. This is the working group on Curative Rights Process. It's basically dispute resolution procedures for international, intergovernmental organizations.

As you can see, there was an original PDP way back in November 2013 about permanent protections in the new TLDs -- some of which has been implemented, some of which is still not implemented due to continuing disagreements between Council and the GAC, some of which was resolved in the last ICANN meeting. (Unintelligible) subsequent Board resolution, but it's separate from our working group.

Our working group was launched three years ago this month, it's hard to believe we've been at this for three years.

One of the reasons we've been at it for three years is that we basically took a year off when we realized that our working group had no internal expertise on the question of the generally recognized scope of IGO immunity from judicial proceedings which was a central issue.

And we took the time to put out the first-obtained funding from ICANN for an outside legal expert and had conducted a search for that expert. It's Professor Edward Swain of George Washington University Law School formally with the U.S. State Department, and then getting his opinion on analyzing it.

And he put out an initial report. I forget (unintelligible), but we've got comments on the initial report and we've concerned the comments and we're moving forward with all deliberate speed.

I've been working very closely with my co-Chair Petter Rindforth from the Intellectual Property Constituency. We've had great staff support from Mary Wong once again and Steve Chen on this one. We couldn't do our work without that Staff support.

And we're endeavoring now to try to wrap up our work. And we had hoped we'd have a final report filed before this meeting, but that's (unintelligible). These things take time. But we do hope to have a final report filed before Adu Dhabi because as much as we love these issues, we would like to finish this working group during our natural lifetime.

So moving on to the next slide, yes, our likely final recommendations may not be aligned with GAC Advice. In fact, I can predict with a great degree of certainty that they will not be in alignment with GAC Advice, not that we're just being obstinate and enduring the GAC, but the GAC was basically recommending what the IGOs had requested which was a totally separate curative rights procedure just for international and intergovernmental organizations in which registrants -- domain registrants -- would not have access to a court of (unintelligible) jurisdiction as they deal under the UDRP and URS.

And I can get into the details of this question, but we've discussed this many times. We didn't find justification for that and it's one of the reasons we retained the outside legal expert to get an impartial opinion on the scope of IGO immunity. And his answer was basically it depends, and we didn't think it would be appropriate for ICANN to, one, make a uniform determination that all IGOs would be entitled to immunity in any judicial proceeding in any nation based on any particular facts in a given dispute, or that ICANN should be stripping a domain registrant of their legal rights they might have under international law.

The analogy I've used is you can imagine if we recommended that because it interfered it was in conflict with the registrar agreement and that ICANN

should just ignore your privacy protections. In my mind, this is a similar situation, others may disagree.

So we did proceed to change the recommendations we were moving toward. And we are presently, the IGOs had requested that any appeal would be to arbitration. And where we seem to be going in the working group and what will be a central focus of our discussions tomorrow is we've asked the question and - why don't we go to the next slide because I think it might be better - well I'm not real about this talk off the top of my head - that we're trying to deal with this scenario.

What happens? IGO brings a UDRP or URS. And we are clarifying things in our report that clarify that they have very good access to a UDRP or a URS based either on trademark rights in their names and acronyms and they can readily trademark those terms. Or if they don't have them, in our initial report, we had recommended that providing notification to WIPO of their rights to endure Article 6 Tier of the Paris Convention -- which provides protection for names and acronyms of international intergovernmental organizations.

It could be a separate basis for standing based on being responsive to critical comments are received on that initial report, we are probably dialing back to that recommendation in the final report that WIPO notification of 6 Tier rights with the strong evidence of (unintelligible) trademark.

And so that would keep the UDRP and URS confined to trademark rights while making it clear that it's not a very high barrier for IGOs to use those processes.

But we're left with the troublesome question - and I have to admit this has been a very difficult PDP because there's no easy answers on any of this.

What happens if an IGO brings a UDRP, wins the UDRP -- the domain is found to be engaged in cyber-squatting. And this is probably a rare instance

but still a possible instance. The domain registrant decides to file a judicial appeal.

And they go to the court. And the IGO goes in and says to the judge, "You know, even though there's a mutual jurisdiction clause, it doesn't mean we abandon our defenses and immunity is a defense." And the judge says, "You're right and under my reading of our national law, you have immunity and we have no jurisdiction over you."

What should happen in that case? In our initial report, we recommended two options. Option one would be that at the end of the underlying UDRP decision would be vitiated, and after the end of the matter. But looking at it realistically, we thought about it quite hard and the notion that an IGO having successfully having proved cyber-squatting at the UDRP level, and having succeeded in their immunity claim, to have a result where they'd be left without recourse and the cyber-squatting found by the UDRP panel would be allowed to continue unabated, would probably not be readily accepted by this Council much less by ICANN as a whole.

And also as we made further inquiry, we found that's actually probably more favorable to the registrant than current practice and there's nothing today that would prevent this scenario from happening. It's not as if IGOs have used the UDRP, and so this could happen today.

And we've heard back from quite a number of people expert in UDRP -- panelists and attorneys who represent both complainants and registrants -- that if this scenario happened today and the court challenged that immunity was found, the underlying UDRP decision would probably be reinstated and the domain would be transferred or extinguished. So that probably wouldn't fly.

So what we're going to be looking at now is in that instance, we're going to look at an option of there would be an arbitration. It would be a non-judicial

forum. The arbitration would be under the - it wouldn't be under the UDRP rules, it would be under the terms of the national law in which the appeal would be brought. But it would be heard by an arbitrator and a judge.

And there's quite a number of elements that we have to consider to make that arbitration workable and fair, and that's what we're going to be getting into now in this arbitration option.

So this is kind of where we are in our work. Is there another slide here?

Oh yes. Now since the last ICANN meeting in Copenhagen where Petter and I engaged in two meetings of the facilitated dialogue between the Board and the GAC on IGO issues -- the first of which dealt with primary Red Cross and Olympic issues and the second one of which was very focused on this IGO access to CRP issue -- there's been continuing discussions. And Bruce Tonkin has been leading those discussions.

And at one point, Bruce suggested that perhaps another legal expert should be engaged to see if there are other independent bases for IGO protections as names and acronyms other than trademark law.

And we responded on behalf of the working group that if that decision was made to engage another legal expert, we would be willing to suspend our working group's work and wait for the results of that inquiry.

But that suggestion hasn't seemed to have gained any traction, and it could gain traction again. But right now, unless that intervenes and a new legal inquiry is made, as I've noted, our object is to try to wrap up this working group as soon as practical. But we remain open to whatever council that is facilitated dialogue.

So our working group's final recommendations, the only modification of UDRP or URS that might be required would not be on the basic policy of what

has to be shown to demonstrate cyber-squatting in those procedures so the standard of evidence. But simply, to address this potential arbitration option if the idea goes before a judge and convinces the judge that they are not (unintelligible) toward that judicial forum, and then shifting the final decision to an arbitrator.

Do we have anything else on the last slide?

Well yes, we are meeting tomorrow morning at 10:30 to 12:00. We welcome all. And our object has been to provide effective recourse for IGOs that gives them rapid and low-cost ability to prevent bad-faith use of their names and acronyms in the DNS while respecting the legal rights of registrants, and also leaving open this open of basically saying the immunity question is authentic but that ICANN shouldn't be deciding it in advance for every potential case, it should be decided as a legal defense in a court case in the rare instance where the registrant decides to appeal the UDRP.

So I will stop there and I would welcome - Petter and I would welcome any questions about anything I've said or any other aspect of the PDP and where we might be going. Thank you.

James Bladel: Thanks Phil. And I think having followed this for awhile, I'm encouraged that the PDP is taking that approach to the question of immunity. I don't think there's anything as much as important as ICANN is, I don't think is can grant or deny immunity to these types of groups. That's what we have courts for, so I'm glad to see that that's being handled the way it is.

I just want to flag for the Council, especially, that one of your opening points, it looks like there is going to be another divergent area in this PDP versus GAC Advice. And in this case, GAC Advice came equipped with a very extensive proposal -- an alternative mechanism for existing curative rights.

I think we need to make sure that Phil and Petter and that working group but also the Council generally is prepared to defend these conclusions and why we took a different path because otherwise we could end up in the same boat that we saw with the IGOs and the Red Cross previously.

Questions/comments? Petter, go ahead.

Petter Rindforth: Petter Rindforth here.

Yes, I fully agree with you and we are, actually, we have been discussing that and we're working on a number of pros and cons related to creating a separate dispute resolution policy just to clarify that we have considered it and why we have decided to not recommend that. So it would definitely be in our final report. Thanks.

James Bladel: Thanks Petter. And if there are any elements of the small group proposal that are reflective in your final report, I think highlighting them -- no matter how small -- you know, if they can see a reflection of their own work, I think, in the final output, that might help smooth things over as well.

Phil Corwin: James, if I could have just one more quick comment. This didn't go the way the GAC requested just to be contrary, the heart of the GAC request was based on an immunity claim that, one, was broader than a legal expert said would be the case in every possibly scenario.

But two, we didn't think it was proper for ICANN to say that a domain registrant shouldn't have - should be somehow stripped of their legal rights.

And to give you a scenario, let's say an IGO brought a UDRP against a registrant alleging cyber-squatting on a domain that was identical or a confusingly similar or acronym.

And let's say that policy - let's say we had created this whole new arbitration process with no appeal. There would be nothing to prevent that domain registrant upon receiving notice.

Let's say it's a U.S. domain registrant. From knowing that the process that they were subject to did not give them access to court, from immediately filing in federal court on an anti-cyber-squatting act and saying, "An action has been brought against me trying to take my domain away, and judge, I want you to step in and stop that and issue an order that my domain can't be transferred until you resolve the dispute under U.S. law."

So not only would our working group (unintelligible) would not be appropriate to try to take away a registrants' legal right, but there is a question if that would be effective because I suppose at that point, the IGO would come in and say, "Well we brought this under an ICANN procedure that says this registrant has no access to U.S. law."

And the judge would likely say, "What do I care what this private corporation in California said? I'm a U.S. judge. This is a U.S. citizen and they have rights under U.S. law and I'm not going to deny them their rights because of what some private corporation said."

So it was both a question of appropriateness and effectiveness that led us down this path. But we have tried to be sensitive to the need for IGOs have ready access to protect our names and acronyms. Thank you.

James Bladel: Thanks Phil. I think, Donna, did you want in the queue?

Donna Austin: Thanks James, Donna Austin. And thanks, Phil, for the update. Sorry that you're in the middle of something that's not been very pleasant in recent times.

I just wonder if there's some way that we can try and get ahead of what is likely to end up with GNSO recommendations being in conflict with GAC Advice whether there is some way we can try to engage the Board on this earlier rather than later.

I know Bruce was identified to help with the facilitated dialogue, but I don't know whether he has a role to play moving forward.

But if this is the path that we think that we're going down, maybe we should try to get ahead of it now rather than -- to the extent that we can -- rather than waiting it until after Abu Dhabi when it actually happens.

So I do notice that Brian was in the room and I don't think he looked very happy when he walked out. So I think we should see if we can try to get ahead of this one.

Phil Corwin: Well I will say everything our working does, Donna has been totally transparent. And I do know from prior conversations with Brian and IGO representatives, that while they don't participate in our working group, they carefully read the transcript of every meeting. So nothing I've said is of any surprise -- should be of any surprise to anybody who has been monitoring our work.

James Bladel: Well I think Donna's suggestion is sensible. I think, you know, you've built the process, you know, being true to process, integrity, transparency and I think the ability of the PDP. And I think you have also engaged the outside legal expert -- which lends a lot of credibility to the outcome -- to the outputs of the PDP.

I think Donna's right. There's still this smoothing over that we have to do. And if not with the IGOs and with the GAC, then we probably need to start smoothig over the Board.

And if that means taking, you know, Column A GAC Advice, Column B PDP recommendations that were approved by the PDP and presumably will be approved by the Council when they're done, and talk about why -- why did you take the different path. And have a rationale for each one. I think that will go a long way towards eliminating the surprise when that gap becomes apparent to the Board.

And it could inoculate, again, maybe some -- I want to say newness (sic) application -- that might be coming from the GAC or from the IGO.

Go ahead Phil.

Phil Corwin: Yes, we'll do our best and I have engaged and had a good and reasonable discussions with individual GAC members, but somehow the GAC keeps coming up with the same position they've had for years. And for as explaining our rationale for how we got to where, well our initial report was over 100 pages with over 200 footnotes.

And as I've indicated, we are changing things in response to comments we got on the initial report respecting the comments where we thought they made good points and were well reasoned. And I imagine our final report will even be longer than the initial one.

So we are trying to explain our rationale, but some people want a different result.

James Bladel: Donna.

Donna Austin: And thanks James, Donna Austin.

I just wanted to make the point, I'm a little bit concerned by some of the focus that Goran seems to have on the GAC in that we have some obligation to fix the relationship in some way.

I understand that, you know, the two-character issue and also the IGO issue has come up in the ITU context. And some of the reluctance, I suppose, from the ICANN Board to go reject GAC Advice on these issues is that kind of fake trip to ICANN that perhaps the ITU will take some amazing action that can take control of ICANN in some way.

So I think we need to - it's almost a bigger picture that this fits into that we need to understand as well that I think the Board is still getting crucified over the two-character issue. And I think this is going to be another one where they will take a fair amount of heat if the GNSO recommendation don't accommodate the wishes of the GAC.

So that's something if we can try to get ahead of it. But I think it's going to be really hard for us to hand our principle here. I think the Board is going to try to kick it back to us to resolve it. But I think we've done as much as we can in this space and the Board has to take the responsibility now, I think, if the PDP recommendations turn out the way that we think they will.

So I think, you know, we've been pretty good in trying to find a way forward -- particularly on the Red Cross and IGO issues. But we're going to have to expect that there's only so much that we can do and the Board will have to actually take a decision and resolve what will be a contingency (unintelligible).

James Bladel: Thanks Donna. One thing is for certain is we're not going to let it sit around for three years time. If necessary, we'll engage all of our new - we'll pull of those new shiny levers that we have at the new Empowered Community to ensure that it doesn't just go into a pocket detail. Thanks.

I'm just going to check real quickly here. I don't have anyone else in the queue and we're getting close to our actual stop time.

I want to say thank you to Phil. This has not been -- and to Petter, sorry. I know that you guys have taken a lot of heat for this particular working group, but I think that you've, you know, you've been very thorough and faithful through the PDP process. And I think that's going to help us in the end -- to Donna's point -- to help us stand on the outcome.

Go ahead Phil.

Phil Corwin: Thank you very much on behalf of Petter and myself. And we've known from the beginning how (unintelligible) sensitive this issue is, and that's why we've really tried to go the extra mile to document to produce a really solid piece of work that at least is based on, you know, reasoned analysis of the facts.

And it hasn't been easy. And I have to say there's (unintelligible) domain registry community who aren't happy with the idea that any (unintelligible) arbitration rather than judicial resolution -- even no matter how narrow it is.

But we're just trying to come out with the best possible recommendation in a very kind of no-win situation. Thank you.

James Bladel: Thank you. Okay, well, we have one item of AOB. Do we need to close the recording or can we just carry on through? Okay, we're just going to keep rolling.

We have one item of AOB and that is to mention that tomorrow we have our first ever community forum -- to that as an AOB. Okay, we'll come back to you in a second.

The community forum is tomorrow morning. I hope that folks will attend. I will be there as the Interim Representative to the Empowered Community Administration by the GNSO.

You all haven't told me what to say so I'm not going to say very much, so it's going to be just kind of an overview or cursory presentation of the GNSO and how we participate currently in the Empowered Community.

The good news is that the issues before the community forum right now are barely straightforward, just a technical change to the fundamental bylaws regarding the independent review process.

And I don't think they're all that controversial. In fact, I think most folks believe it was perhaps just a sanding off a rough edge from the transition. And so it's perhaps a good test case for this new mechanism to get it out there.

There is also - well I'll back up. The bad news is that the community forum kicks off a particular time calendar that's hard-coded into the bylaws. That we have to, as one of the decisional participants in the Empowered Community, we have to live by.

And the same goes for - I don't know if you saw when you were all heading on your airplanes that John Jeffrey notified us that the Board had approved the Fiscal 18 Budget -- which also opens a 21-day window for us to file any kind of a petition to reject that budget under the Empowered Community.

So none of this is compatible with the GNSO's meeting schedule. We chatted a little bit -- Marika and Staff -- and one of the ideas that we came up with was we have a meeting scheduled now on July 20. This is our first meeting coming out of Johannesburg.

We can fix this if we could move that meeting up one week to July 13. And I know it's working to see if, you know, we're still on solid ground procedurally to be able to do that, and I think we have to provide sufficient notice. So just keep that in mind.

One possible solution to both of these issues that would take and get an opportunity for the GNSO to review both of those issues -- because we're the Empowered Community -- make a motion and then, actually, adopt some instructions to give to the interim representative to then take to the Empowered Community by the prescribed deadline that's in the bylaws as if we were to move that meeting up seven days.

It would also give us an extended summer break because then we'd go from mid-July all the way to the end of August. That's the reward if we're willing to squeeze or compress our calendar a little bit now and have a little bit longer of a summer break.

So keep that in mind. It's something we'll talk about a little bit later, but it would address the calendar issue.

So on this point - all right, okay go ahead Donna.

Donna Austin: Yes, sorry, just a quick clarification. So as the GNSO's Empowered Community representative, you are expecting instructions from the Council as to what your position is in these discussions.

James Bladel: The first one is we'll have 21 days to approve the fundamental changes or the changes to the fundamental bylaws regarding the IRP -- which will be presented tomorrow.

And the second one is if any stakeholder group or constituency raises a petition to reject the budget, the GNSO has to agree to send that petition up to the Empowered Community. So if there isn't one, then our silence is our decision -- which is fine. We can decline to - be fine with the budget, we don't have to raise an objection. But if we do want to raise an objection, we have a window we have to deal with.

Now Marika is going to tell everything I got wrong.

Marika Konings: No, this is Marika.

James Bladel: Oh.

Marika Konings: I think what we're just - well, this is all knew for us as well and we're trying to go along with it as we get (unintelligible).

There may actually be a need to (unintelligible) keep the 20 of July meeting because, indeed, within the 21 day timeframe, even if the Council doesn't bother rejection petition but someone else does, then the Council has ability within seven days to support or not.

So we may need to indeed move the working meeting to the 13th, but also keep the 20th so that you do have the ability to (unintelligible) non-support if someone files a rejection.

James Bladel: But I just promised everybody.

Marika Konings: I know, I know.

James Bladel: What we could do...

Marika Konings: But if you convince everyone not to file anything...

((Crosstalk))

James Bladel: But what we could do is could say that if a petition is raised, we could have an electronic ballot just on that one issue because that would be the only issue that would necessarily be...

((Crosstalk))

Marika Konings: I think you need to have discussed it. There has to be sufficient opportunity to discuss, so it may be safer to have...

James Bladel: You know, it was too easy.

((Crosstalk))

James Bladel: Well we're going to continue to work through this and talk through this as we go. Don't want to get too (unintelligible).

Mary?

Mary Wong: A slightly different point though and I think it's just for clarification for those who haven't been following.

For the community forum tomorrow, James will be there as the Interim Rep for the GNSO, but as the Empowered Community administration, as one of five, you'll actually be moderating the forum.

So I think the expectation is that you're not going to sitting on the stage speaking for the GNSO. And this was discussed in the GAC earlier today as well. They came to the same conclusion.

So it would probably be helpful if GNSO community members were to attend and give their views (unintelligible).

James Bladel: Thanks Mary. I think we're all kind of learning as we go when it comes to the Empowered Community Forum.

Paul, go ahead.

Paul: Thanks. Speaking of learning as one goes, I'd like to withdraw motion on the name change after hearing feedback from various people over the last week

or so. There's some perhaps unintended consequences and maybe we could put it onto the July 13 and/or 20 meeting as a discussion item rather than a motion.

James Bladel: I have no concerns about that. Yes, good. (Unintelligible) at the same topic or Community Forum? (Unintelligible)?

Man 2: (Unintelligible), such a question for the informal session because for tomorrow evening, the informal session is not open to the GNSO or just to the Council members.

James Bladel: So typically we've handed to Council and SG&C chairs. And it's been closed but a couple of meetings ago, we have been publishing the recordings. And that's tomorrow at 6:30. It's on the calendar.

Okay, Marika and then I think Erica also wants to speak as well.

Marika Konings: This is Marika. Just very brief because we mentioned earlier today that we want to give an update on the bylaws and already changed to the bylaws and operating procedures. But that item will move to the wrap-up session. So I hope to give an update then on those changes and what it entails.

James Bladel: Thanks. And that will move to the wrap-up session on Thursday afternoon. Okay.

Erica is saying no, okay. Anyone else have any final thoughts? I think this is a fairly productive session, we went pretty quickly.

Okay, thanks and enjoy the cross-community discussion and the rest of your day. And we'll see you at the informal and also dinner -- which the Council dinner is tomorrow. Make sure that if you haven't already RSVP'd to (Emily).

And I think Carlos was saying bring cash and small bills. Is that right? Small and a big stack of them.

Phil Corwin: And we still have that other meeting at 6:30 tonight, right?

James Bladel: Oh yes, sorry. CCNSO Council tonight and then tomorrow is the informal session, and then we'll just go right to dinner.

Okay, thanks everyone. We're adjourned.

END